

A COLD CASE

By

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Based on the New Yorker Magazine Article Written by Phillip
Gourevitch, based on the life story of Andy Rosenzweig

Current Revisions

By

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06/04/04

FADE IN:

We see the distinctive Gary Cooper, having found his courage, coming along the street in "High Noon." It's then we see we're in a BRONX MOVIE THEATER. It's 1952. A little boy in the audience watching the old black and white movie, watching Gary Cooper walking along the street to meet his destiny...

FADE OUT:

And now the screen is white, a sea of white. And suddenly a TYPEWRITER KEY strikes the white. The letter "a..." And then again, and again, typing out in lower case letters, simply:

"a cold case"

The page is taken out of the typewriter. Another piece of paper rolled inside...the metal paper-holder put down keeping the page in its place. And we see a Man is sitting at a desk cluttered with writing tablets, slips of paper with phone numbers, bulging file folders, handwritten notes, photographs, a small tape recorder...the man starting, in this day and age of modern machines, incongruously, to type on a typewriter. And as he types we hear the Writer's VOICE:

GOUREVITCH (V.O.)

On November, 1944, an Army deserter name of Frank Gilbert Koehler was arrested for burglary in New York City. Frankie, as he liked to be called, had walked off his post at Fort Dix, New Jersey after suffering unsustainable financial reversals in a latrine crap game...When the police caught up with him....

We see A POLICE FINGERPRINT SHEET WITH ITS INKED IMPRESSIONS of A MAN'S FINGERPRINTS, a man's record...of who he is...

GOUREVITCH (V.O.)

...and when it was discovered that he was fifteen years old, and had lied about his age to enlist, he was sent to children's court, declared a juvenile delinquent, and returned to military control...Six months later, Koehler -- AWOL again, and for good -- shot and killed a sixteen-year-old boy, in an abandoned building on West Twenty-fourth Street.

EXT. AN ABANDONED BUILDING, NEW YORK CITY - NIGHT, 1944

The SOUND OF A SHOT from inside an abandoned building behind a YMCA on West Twenty-fourth street.

GOUREVITCH (V.O.)

The next day, he surrendered to a policeman on a street corner...

EXT. A NEW YORK STREET CORNER - DAY, 1944

A POLICEMAN walking his beat on a New York street...A
TEENAGER coming up to him...offering himself up, surrendering
himself...

GOUREVITCH (V.O.)
...and was taken to a station house
where he confessed....

A TYPED CONFESSION...with a BOY'S SIGNATURE attesting to his
crime..."Frank Koehler."

GOUREVITCH (V.O.)
In consideration of his "extreme
youth" and lack of "parental guidance"
-- he had left home at thirteen,
following the death of his father, a
burglar -- the district attorney
reduced his charge from homicide to
murder in the second degree. In
court, Koehler pleaded guilty, and the
judge sent him upstate to spend five
years at the Elmira Reformatory.

We see an INSTITUTIONAL HEADSHOT from the reformatory of the
teenager Frankie Koehler....with a date "1944," handwritten
in white in the upper corner, and his id, #17482 handwritten
in black across the bottom of the photograph...

GOUREVITCH (V.O.)
He was released on May 17, 1950, and
remained a free man for nine months
and twenty-six days until he was found
by police, at four in the morning...

EXT. THE THIRD AVENUE EL, NEW YORK - LATE AT NIGHT, 1950

We see three uniformed Policemen coming quickly along an
elevated Train platform looking for someone...when one of the
Policemen, seeing something, suddenly climbs down onto the
tracks...where we see a young Man is hiding on a catwalk
between the elevated train tracks...

GOUREVITCH (V.O.)
...Hiding on the catwalk between the
tracks of the Third Avenue elevated
train line at Thirty-fourth Street,
after robbing a nearby bar and grill
at gunpoint.

The Policeman handcuffing him, taking him into custody...

GOUREVITCH (V.O.)
As he was led back to the station
platform...Koehler called out to a man
standing there in the predawn gloom as
if waiting for a train....

We see a MAN in his early thirties in a suit and an overcoat,
standing in the predawn gloom on the platform as if waiting
for a train...

FRANKIE

(calling out)

Arthur, save me, save me, tell them I was with you...

The Man on the platform tries to ignore him...but the Police arrest him, too...And as they're both taken away...

GOUREVITCH (V.O.)

Koehler and he had indeed been together all night. They'd met at a Times Square cinema...

WE SEE A TORN TICKET STUB FROM A TIMES SQUARE THEATER...

GOUREVITCH (V.O.)

Where the poster said, "THRILL CRAZY, KILL CRAZY...."

THE POSTER, "THRILL CRAZY, KILL CRAZY...." with its distinctive lurid 1950 style artwork...

GOUREVITCH (V.O.)

...The picture was "GUN CRAZY..."

And we see the 1950 MARQUEE of a Times Square Theater..."GUN CRAZY."

GOUREVITCH (V.O.)

...A story of fugitive lovers on a crime spree hurtling to their doom.

INT. A TIMES SQUARE THEATER - NIGHT, 1950

We see Frankie Koehler and his accomplice Arthur watching the movie "Gun Crazy," on the Times Square Screen. The fugitive lovers on a crime spree hurtling to their doom.

And just then we see a NEWSPAPER PAGE, as if out of the "Gun Crazy" movie itself, from the "Daily Mirror," with a crime reporter's PHOTOGRAPH of Frankie Koehler just after his arrest...

GOUREVITCH (V.O.)

A news photograph of Koehler taken minutes after his arrest showed him to be a slight, dark-haired man, rather handsome and sharply dressed in an overcoat, business suit, white shirt, necktie, and (without a trace of irony, or humor) handcuffs.

And now we see a Woman, in a CONSTRUCTION TRAILER OFFICE, is looking at that very same NEWSPAPER PHOTOGRAPH of Frankie. As she takes up a telephone...

GOUREVITCH (V.O.)
When the picture appeared in the
"Daily Mirror," he was recognized by
Carmella Basterrchea, the bookkeeper
of a Murray Hill construction company,
as one of two gunmen who had, a month
earlier, stepped into her office late
on a Friday afternoon...

INT. THE CONSTRUCTION TRAILER OFFICE - AFTERNOON, 1950

And we see at an earlier time Frankie and Another Man coming
into the construction trailer's office late on a Friday
afternoon...Frankie, pulling out a gun, saying to her...

FRANKIE
All right, lady, this is a heist.
Don't move or I'll plug you...

GOUREVITCH (V.O.)
And made off with her payroll.

The men calmly strolling out of the construction office with
the payroll...

GOUREVITCH (V.O.)
Koehler admitted to both stickups, and
once again he was sent upstate, this
time to Green Haven Prison in
Stormville with a sentence of ten to
twenty years.

EXT. THE PRISON IN STORMVILLE, NEW YORK - DAY, 1951

The brick edifice, with its smokestacks, Green Haven Prison
in Stormville, New York...

GOUREVITCH (V.O.)
He served eleven and a half years and
was paroled in August 1962 at the age
of thirty-three, having spent most of
his life "away."

EXT. THE PRISON IN STORMVILLE, NEW YORK - DAY, 1962

The same building, the smokestacks keeping time...And we see
Frankie Koehler, eleven years older now, a paper bag under
his arm with his few possessions, coming out of the
prison....Getting on a Municipal Bus...the Bus driving off,
Frankie's face at the window, looking out...

GOUREVITCH (V.O.)
Before the year was out, Frankie had a
wife...and legitimate employment in a
machine shop. Later, he found union
work as a stevedore on the West Side
docks, then on the crew at the New
York Coliseum on Columbus Circle, and
he did not come to the attention of
the police again until February 18,
1970.

INT. THE WRITER'S OFFICE, NEW YORK - NIGHT

The Writer's stopped to look at a POLICE CRIME SCENE PHOTOGRAPH of two dead bodies lying on a parquet floor...a man in a bathrobe, another man in an overcoat...a date handwritten on the photograph, "February 18, 1970..." He starts to type again...

GOUREVITCH (V.O.)

Around eight o'clock on that evening, Frankie was having drinks at "Channel Seven," a bar and restaurant on West Fifty-Fourth Street, when he got into an argument with the owner, Pete McGinn, and a friend of McGinn's named Richie Glennon. About an hour later there was a shooting at an apartment on First Avenue and 67th street.

INT. AN APARTMENT BUILDING HALLWAY, FIRST AVENUE AND 67TH STREET - NIGHT, 1970

A hallway. A dark haired WOMAN waiting outside of an apartment. There's suddenly the SOUND of GUNSHOTS...and an APARTMENT DOOR is hurriedly opened...And we see FRANKIE, literally a smoking gun in his hand, come running out of the apartment.. The Woman, seeing the smoking gun...

THE WOMAN

Where is Richie?

And she sees a man, in his thirties, lying on his back on the apartment floor, his legs crossed comfortably at his ankles, his overcoat and suit jacket twisted beneath him, his left arm flung out, and the left side of his shirt bunched and soaked in blood from shoulder to waist around a small round hole over his rib cage. Another man's body at the far end of the room in a bathrobe, with his right foot in a slipper and his left foot bare, lying face down and dead in a puddle of blood on the parquet floor. The only thing moving a big DOG that is hopping around in confusion. The woman goes over to the man in the overcoat lying on the floor, sitting beside him, trying to pick him up...

THE WOMAN

Where are you hurt?

He's deathly still. And she sees Frankie is still there, hovering over her with his gun..He says to her, threatening..

FRANKIE

You just shutup about this.

THE WOMAN

(afraid)

I'm not gonna tell anybody.

FRANKIE

Don't open your fucking mouth. Just sit there.

And with that he leaves, moving quickly out of the apartment, off along the hallway. The door left open, the woman sitting on the floor by the man's body. The big Dog, confused, hopping around the room.

INT. THE APARTMENT BUILDING LOBBY - NIGHT, 1970

We see Frankie coming out of an elevator....fishing a handkerchief out of his pocket, pretending to be coughing into the handkerchief, to hide his face, as he walks past the DOORMAN....

EXT. THE APARTMENT BUILDING, FIRST AND 67TH STREET, NEW YORK - NIGHT, 1970

...Frankie moving down the sidewalk, moving away....moving off down the street...

GOUREVITCH (V.O.)
And then Frankie Koehler disappeared.

Frankie moving off down the street...until we lose sight of him, disappearing, like a memory, into the night...And as we're left to look down the dark, and "empty" street....

GOUREVITCH (V.O.)
Twenty-seven years later, on January 6, 1997, Andy Rosenzweig, the chief of investigations for the district attorney of Manhattan, was driving up First Avenue, nosing through lunch hour traffic, on his way to a New York Hospital for a stress test.

INT. A PLAIN CAR, NEW YORK CITY - LUNCH HOUR, 1997

And we see a MAN in his early fifties, in a forgettable brown suit, wearing a fedora, stuck in traffic...He takes off his hat. He is on his way to being bald. He is not bothered that fact. It isn't his particular vanity. A fastidious man, always needing to be aware of the time, he looks at his watch...and seeing a parking space open up he suddenly turns into it...

EXT. NEW YORK STREET - LUNCH HOUR, 1997

He gets out, putting on his hat, naked without it, crossing to a supermarket...He has a distinctive way of walking, something lonely about it, as if the street was emptier, longer than it is. Who he is, is in his walk, his head slightly ducked, as if he's embarrassed by who he isn't, and wasn't meant to be. This is no hero. ANDY ROSENZWEIG.

INT. AN A&P SUPERMARKET - MORNING, 1997

Andy, a juice in his hand, reading the label to see what's in it, always needing the details, gets in the express line...and he sees the man in front of him has a nearly full cart...

ANDY

(a beat, to the
man...means the
sign, and he has a
distinctly BRONX
ACCENT)

What does that say there? "Ten items
or less..." This is supposed to be the
express line...You got like twenty
items...

THE MAN

(nasty, doesn't
give a shit)

What are you, a cop?

And Andy, humorlessly, showing him his badge...

ANDY

As a matter of fact, I am. (and
pointing out) And it should say
"fewer"...ten items or "fewer"...not
less...less is for a whole amount.....

The man doesn't know what he's talking about...But that's not
what motivates Andy...

ANDY

(the bottom line)

What's right is right. You're in the
wrong line, and I'd appreciate if you
would move...

It isn't a question. The man hesitates, but not wanting to
push his luck, changes lines...and the people behind Andy, a
wish for once fulfilled, a woman expressing her appreciation
for all of them...

A WOMAN

It's about time somebody said
something...Nobody ever says
anything...

....which only serves to embarrass Andy...nothing's a show to
him...he pays, and trying to be anonymous, he appreciates his
anonymity, leaves...

EXT. NEW YORK CITY STREET - LUNCH HOUR, 1997

He starts to get back into his car...and he notices the
street he's on...but he's not sure...and he says to a dirty
water hot dog guy on the corner...

ANDY

What street's this?

HOT DOG GUY

First Avenue and 67th street...

ANDY

(nods, and
realizes,
remembers)

There used to be an apartment building
right over here. Where the A&P is now.

HOT DOG GUY

I couldn't tell you. Before my time.
I started working this corner, summer
1987...what's that, ten years?

ANDY

(as he looks
around...always
interested in the
minutiae, details)

What do you do on average, a hundred
hot dogs a day...?

HOT DOG GUY

Something like that.

ANDY

(figuring)

Say three hundred fifty days a
year...for ten years...that's right
around three hundred thousand hot
dogs...You work for thirty years you
could sell almost a million hot dogs.

As the hot dog man absorbs that disheartening fact...

ANDY

(looks around;
remembering)

No, this was twenty-seven,
twenty-eight years ago...something
like that...There was a ten story
apartment building over here...built
before the second world war...nice
building back then...

(without a trace
of irony, shrugs,
throwing it off)

A lot of things can happen in almost
thirty years...

He takes a last look around, and taking off his hat, he gets
back into the car...He stops to take another look at the
street, and as he drives away...

We HEAR THE SOUND OF A HEART BEATING. AND WE'RE LOOKING
AT A HEART RATE ON A MONITOR....and we see Andy with his
shirt off, in his pants, his stocking feet, electrodes
attached to his chest, walking on a treadmill, taking a
stress test in a HOSPITAL CARDIOLOGY TESTING CENTER....a
TECHNICIAN monitoring the machine...And while Andy walks
on the treadmill, made aware of his own mortality, that
old apartment building on First Avenue is still on his
mind...and as he walks on the treadmill, still thinking
about almost thirty years ago...

INT. A BRONX APARTMENT. A WAKE - DAY, 1970

We see the same man who was in the overcoat, who's legs had been humanly crossed at the ankles as he was lying dead on the apartment floor, is now lying in an open CASKET. And we see people are gathered in a SMALL BRONX APARTMENT at a WAKE in 1970. Loved ones. Friends. Local people. Cops, and men with patches on their jackets, "Ironworkers Local 247"...And we see standing looking at the casket, is a YOUNG MAN in his middle twenties, in a Policeman's uniform, holding a policeman's hat in his hand, paying his respects...and we recognize it is Andy Rosenzweig almost thirty years earlier..

A MAN'S VOICE (OVER)

A priest once said to me, "You can die
all at once, or a little bit at a
time..."

And we see a hard looking man in his mid thirties, who's seen everything at least once, DANNY LYNCH, with a full head of black hair, in an overcoat, a drink firmly in his hand, has come beside him...

DANNY LYNCH

(remembering,
without any
malice)

You're a Jew, aren't you Rosenzweig?
You don't have priests.

ANDY

(shakes no, a rare
smile)

But we die the same way.

Lynch smiles, his likes this kid. His brow furrows...and going on...

DANNY LYNCH

Richie. A pity. A pity is what it
is.

He crosses himself.

ANDY

(after a beat)

I'm hearing all sorts of things. What
happened, who killed him?

DANNY LYNCH

You cold? I'm freezin...

He walks over by a radiator...to warm himself...

DANNY LYNCH

You'd think with all the people in here it wouldn't be so cold...I'm always cold...I got a problem with my circulation...It doesn't circulate... (takes a drink) Annemarie says it's because of too many nights on foot post standing on corners in the wind...The wind gets to you...so you don't circulate...(word of advice) Get a desk...stay inside...stay out of the wind...

Andy listens to his advice...

DANNY LYNCH

From what I hear, there was a fight... (motions at the young man in the casket)...Richie...He and McGinn were at McGinn's place...drinking...I was there and had a few myself with them, but I had already left...when this guy Frankie Koehler, he shows up...

INT. THE CHANNEL SEVEN BAR, NEW YORK - NIGHT, 1970

A crowded midtown BAR....When the door swings open and a slight, dark haired, good looking, well dressed man just in his forties...a man full of himself...a real tough guy...comes into the bar...and it's as if it's the first time we've ever seen him...FRANKIE KOEHLER.

FRANKIE

How's this for a swell night? Hey Glennon, McGinn...How you'se two guys doing...

He pushes his way up to them at the bar...

INT. THE BRONX APARTMENT, THE WAKE - DAY, 1970

DANNY LYNCH

They know Frankie from around town...you know, a west side guy...a bad guy...and they're drinking and talking...and I guess this Frankie, he's been sleeping around with some guy's girl while the guy's doing a nickel bit upstate...and Richie, you know how Richie is, (hesitates) was, God rest his soul, he always said what's on his mind, and thought about it later...

INT. THE CHANNEL SEVEN BAR, NEW YORK CITY - NIGHT, 1970

Frankie, Richie and Pete McGinn standing at the bar drinking...And Richie says to Frankie...

RICHIE GLENNON

(it calls him)

It doesn't sit right with me, Koehler,
you playing around with Pete Riordan's
girlfriend while he's upstate doing
time...(disdainful) What I heard was
you went and you knocked her up...

FRANKIE

(immediatiely
angry)

I don't remember anybody asking you'se
for your opinion, Glennon, who I see
or I don't see. It's none of you'se
fucking business is what it is.

And that's just how he talks with "you'se" and phrases from
another time...

PETE MCGINN

(jumps in with his
opinion)

Sleeping with a jailed friend's girl
is about the lowest thing a lowlife
could do.

RICHIE GLENNON

Yeah...only a real lowlife would do
something like that...

FRANKIE

(very angry)

Oh yeah, you'se know what I think?
What I think is you'se can both go
fuck yourselves with both hands...A
couple of scumbags...You'se two think
you got it all over me...

PETE MCGINN

(not interested in
anything he has to
say, in his face)

This is my bar. You don't like it
take it somewhere else, you lowlife
asshole...

And he suddenly spits in McGinn's face....

FRANKIE

You'se really think you can do
anything about it...?!

PETE MCGINN

(doesn't back
down)

Why don't we go find out?

FRANKIE

(in his face)

Why don't we...

DANNY LYNCH (V.O.)
...and they take it outside...

And neither man backing down an inch, they take it outside...

EXT. THE CHANNEL SEVEN BAR, NEW YORK - NIGHT, 1970

And once outside, the two men in their suits, go right at each other...Richie watching McGinn and Frankie on the sidewalk fiercely fighting...

INT. THE BRONX APARTMENT, WAKE - DAY, 1970

DANNY LYNCH
I guess they were going at it pretty good...Koehler, he even bit McGinn on the neck...

And he quiets...because a WOMAN in her mid thirties, holding a little girl's hand, has come into the apartment...

DANNY LYNCH
(to Andy)
That there is Pete McGinn's wife...they have a boy and three little girls...

They watch her stand by the casket. And all of a sudden it's too much for her, she slightly stumbles, as if she's going to collapse...they move to help her...but someone is there first, taking her arm, helping her to sit in a chair...Somebody else brings her some water...The woman, brokenhearted, sitting in the chair, drinking the glass of water...her world forever changed...

DANNY LYNCH
That's the first thing you see when you work homicide...Dreams goin' up in smoke. People sayin' to you, "Why can't it be ten minutes ago..?"

He runs his hand through his thick hair, old before his time...and as if to underscore it, he takes a drink for solace. and going on...

DANNY LYNCH
McGinn...he didn't take shit offa anybody...and he could handle himself pretty damn good...

EXT. THE SIDEWALK, THE CHANNEL SEVEN BAR - NIGHT, 1970

McGinn beating up on Frankie, bad...

DANNY LYNCH (V.O.)
I guess he gave Frankie a real good beatin'...

Frankie down on the pavement, bleeding...McGinn and Glennon standing over him...

DANNY LYNCH (V.O.)
 Frankie picked himself offa the
 pavement, wiped the blood offa himself
 and left...

Frankie walking off...

INT. THE WAKE, THE BRONX APARTMENT - DAY, 1970

DANNY LYNCH
 (wipes his hands
 off, as if to say,
 "that was that")
 It's no big deal. People get into
 fights all the time. McGinn, went
 home...Glennon went back inside to
 drink some more...(he takes another
 drink in his honor) I guess while
 Richie's drinking, talking to this
 woman he's with...(he motions to a
 woman standing across the room)...
 (whispers) this nurse he's been
 seeing...

And we see the dark haired Woman who we recognize was in the
 apartment hallway...

DANNY LYNCH
 When Frankie, all of a sudden, he
 comes back into the bar...

INT. CHANNEL SEVEN BAR, NEW YORK - NIGHT, 1970

...Frankie comes back inside...crossing to Glennon...

RICHIE GLENNON
 (seeing him,
 snide)
 I thought we seen the last of you
 around here for awhile...One beating
 wasn't enough?

FRANKIE
 I thought the three of us, we'se could
 sit down and talk this over...put this
 quarrel behind us in a gentlemanly
 fashion...

RICHIE GLENNON
 Pete's gone home to his place for the
 night...

FRANKIE
 Maybe we can go see him...straighten
 alls this out...Us three, we'se never
 had a problem before...No sense in
 carrying around hard feelings...

RICHIE GLENNON
 (shrugs)
 I'll go give him a call...

Richie goes and calls him...Frankie, waiting in the busy bar...Richie comes right back...

RICHIE GLENNON

He says sure...to come over...

DANNY LYNCH (V.O.)

So they go over to see McGinn...

And as Richie, shrugging on his overcoat, and along with his dark haired Nurse friend, and Frankie, leave the bar....

We HEAR THE SOUND OF THE HEART BEAT. THE TECHNICIAN monitoring the machine...Andy, electrodes attached to his chest, walking on the treadmill, the treadmill going faster...

DANNY LYNCH (V.O.)

He has an apartment over to First avenue...and 67th street...

EXT. THE FIRST AVENUE APARTMENT BUILDING - NIGHT, 1970

And we see Richie, along with the dark haired woman, and Frankie Koehler, coming along the sidewalk...going into the First Avenue apartment building...

INT. THE CARDIOLOGY CENTER, NEW YORK HOSPITAL - DAY, 1997

The SOUND of Andy's HEARTBEAT. And as Andy walks on the treadmill, walking faster and faster...

INT. THE ELEVATOR, FIRST AVENUE BUILDING - NIGHT, 1970

Frankie, Richie Glennon, and the dark haired Woman, riding up the elevator...

INT. THE CARDIOLOGY CENTER, NEW YORK HOSPITAL - DAY, 1997

As Andy walks on the treadmill...his mind a long time ago...

DANNY LYNCH (V.O.)

So they go up to McGinn's...

INT. THE FIRST AVENUE APARTMENT BUILDING - NIGHT, 1970

They come out of the elevator along a fifth floor hallway. To an apartment door. Richie knocks on the door...A moment and there's the sound of the door being opened...Pete McGinn, opening the door...

DANNY LYNCH (V.O.)

Richie tells the girl to wait here...he'll be right back...

RICHIE GLENNON

(and we hear,
quietly, he says
to the woman)

Just wait here...I'll be right back...

And Frankie and him go inside...the door shutting. The dark haired Woman, cooling her heels...stops to look at herself in a hand mirror...checking her lipstick...When there's the SOUND of a SHOT.

INT. THE CARDIOLOGY CENTER, NEW YORK HOSPITAL - DAY, 1997

Andy, walking on the treadmill...

INT. THE HALLWAY, NEW YORK APARTMENT - NIGHT, 1970

And then ANOTHER SHOT.

INT. THE CARDIOLOGY CENTER - DAY, 1997

The SOUND OF ANDY'S HEART BEATING. Andy, on the treadmill...

INT. HALLWAY, NEW YORK APARTMENT BUILDING - NIGHT, 1970

And ANOTHER SHOT. AND ANOTHER. And then the door opens...Frankie, holding the smoking gun, on his way out...

INT. BRONX APARTMENT, WAKE - DAY, 1970

The open casket.

DANNY LYNCH

(telling Andy)

The woman she says, "Where's Richie?"
When she sees Richie is lying on the
floor. And her first thought is to
help poor Richie up...

INT. APARTMENT, NEW YORK CITY - NIGHT, 1970

The dark haired Woman trying to help Richie up...

DANNY LYNCH (V.O.)

But he's not moving...And Frankie,
he's standing over her with his gun,
telling her to keep her mouth shut.

Frankie, still there, hovering over her with his gun...

DANNY LYNCH (V.O.)

She says, "I'm not gonna tell
anybody..."

THE WOMAN

(saying)

I'm not gonna tell anybody...

DANNY LYNCH (V.O.)

Frankie tells her to just sit there,
and not to open her mouth. And he
takes off...

INT. THE APARTMENT HALLWAY - NIGHT, 1970

And Frankie runs out...hurrying along the hallway...

INT. APARTMENT BUILDING LOBBY - NIGHT, 1970

...Frankie coming out of the elevator...hiding his face in his handkerchief as he passes the DOORMAN, making like he's coughing so as not to be seen....

EXT. THE FIRST AVENUE APARTMENT BUILDING - NIGHT, 1970

...Frankie moving off along the sidewalk...and as he disappears into the night...

INT. THE BRONX APARTMENT, THE WAKE - DAY, 1970

They've moved back over, Danny Lynch and the young Andy Rosenzweig, standing in front of Richie's open casket, to say their final goodbyes...

DANNY LYNCH

(....going on)
They haven't located him since. But they're going to...it's just a matter of time...only a matter of time....

And as the young man, Andy Rosenzweig, looks at Richie, thirty years before...

INT. CARDIOLOGY CENTER, NEW YORK HOSPITAL - DAY, 1997

Andy, thirty years later, on the treadmill...walking faster and faster...sweat running down his face...And, mercifully...THE CARDIOLOGIST comes into the room...

THE CARDIOLOGIST

That's good enough, Mr. Rosenzweig...If you would come and lie down over here again on your side...

And Andy, breathing very hard, crosses to the small couch, lying down on his side...the doctor and the technician looking at the heart monitor...

THE CARDIOLOGIST

Take a breath...and hold it...

Andy does...his heart racing...

THE CARDIOLOGIST

Breathe...And again...take a breath...and hold it...

And as Andy holds his breath....the Cardiologist and the technician looking at his stress echo...his heart beating...

INT. EXAMINATION ROOM, NEW YORK HOSPITAL - DAY, 1997

Andy, his shirt still off, is sitting on an examination table in an examination room with the Cardiologist.

THE CARDIOLOGIST

(looks at a file)
Do you have any heart disease in your family, Mr. Rosenzweig?

ANDY

(why)
Just cancer.

THE CARDIOLOGIST

Good... (catches himself, a thin smile)
I mean, good that there's no history
of heart disease...

Andy smiles, he knows what he means...

ANDY

(but, simply,
directly as he
always is)
It's one way or it's another, isn't
it?

THE CARDIOLOGIST

(likes him)
I suppose so. (back to business) The
results of your echo-cardiogram, the
stress echo test were good...but your
blood pressure is elevated...I'd like
you to get a home blood pressure kit,
you can buy them anywhere, so you can
keep track of your blood pressure.
I'd like you to find a way to try to
reduce stress...we want to head off
any possibility of an event...

ANDY

An event? It sounds like a golf
tournament. I've got 90
investigators...284 cases...How do I
do that without any stress...?

The Cardiologist doesn't say anything...except...looking at
his chart...

THE CARDIOLOGIST

You've been a policeman since you were
twenty-two...(shrugs) I'm afraid
you're not twenty-two anymore, Mr.
Rosenzweig...

There's a knock on the door. A Nurse looks in, needing the
doctor. The Cardiologist shakes Andy's hand, wishes him
well, and leaves. Andy sits for a moment longer on the
examination table. He's quiet, all too aware of his
mortality. There's a melancholy about him. And his pager
"beeps." He looks, seeing who it is. He gets up, taking his
shirt off of a hook...and strapping his ankle holster, with
his .38, back on around his ankle...

INT. A BRONX APARTMENT - DAY, 1997

We see Andy, wearing his fedora, showing his shield to a
uniformed Policeman at the door, walking by him into a small
apartment that overlooks the Bronx Parkway and the River. A
man in his late thirties wearing a raincoat over a suit, a
lead investigator, FRANKIE DIMARCO, is waiting there for him.

FRANKIE DIMARCO

We missed him by five fucking minutes...he jumped out the window...

Andy looks out an open window that overlooks an alley three stories below...

GOUREVITCH (V.O.)

A year earlier two Albanian-born brothers, Simon and Victor Dedaj, had shot and stabbed to death a bouncer Michael Greco, and a waiter, Jonathan Segal, after hours, at the strip club, "Scores..." after Greco and the brothers had words over a woman Greco had been seeing, and he had recently married...

INT. STRIP CLUB, NEW YORK - NIGHT, AFTER HOURS, 1996

And we see just that...a man shooting another man with a shotgun, after hours in a strip club bar...A young Waiter coming out of the kitchen, seeing the murder happen...and one of the brothers, pulling out a knife, running after the poor young man...

GOUREVITCH (V.O.)

...With police closing in on him, Simon Dedaj jumped out a third story window in an apartment in the Bronx...

EXT. THE BRONX APARTMENT BUILDING - DAY, 1997

And we see one of the brother's Simon, a desperate man in his thirties, jumping out the window...landing in the alley...

INT. THE BRONX APARTMENT - DAY, 1997

Andy and Frankie DiMarco standing at the window looking out..

FRANKIE DIMARCO

(motioning)

...He ran straight across the Bronx River Parkway...

Andy looks over....And we see Simon making a harrowing run across the busy Bronx Parkway...

FRANKIE DIMARCO

And he jumped into the River...

Andy looking out the window at the RIVER...And we see just that...Simon, jumping into the River....where it's narrow...

FRANKIE DIMARCO

He got to the other side...

...Simon swimming to the other side...

FRANKIE DIMARCO

He got on a bus...

And we see the man, despite being soaking wet, getting on a Bus...the passengers not knowing what to make of it...

FRANKIE DIMARCO
And disappeared in a Yonkers shopping center...

We see him getting off the bus...and disappearing in a Yonkers shopping center...Andy, still looking out the window...

ANDY
(his only comment,
pure Andy)
And nobody thinks anything's unusual about somebody getting on a bus soaking wet.

FRANKIE DIMARCO
(shrugs)
I guess everybody has their idea of normal.

ANDY
(looking out)
I used to swim right over here when I was thirteen, fourteen..you can make it across with no problem...

FRANKIE DIMARCO
Unless you can't swim.

ANDY
Then, that's a problem. You can't swim?

FRANKIE DIMARCO
A little.

ANDY
Either you can swim or you can't swim...It isn't an either, or, situation. What do you mean you can swim a little?

FRANKIE DIMARCO
(shows him, swims)
The water's not too deep, I can swim standing up.

They laugh. Andy roams the small apartment, looking around... He looks at some mail on a counter, always aware of details..

ANDY
Who's Anna Petrekova...?

FRANKIE DIMARCO
The apartment's rented to her. She's at work...I sent someone to bring her back here...she's nineteen...she says she met him at a bar...

Andy goes into the bedroom...opens a closet...there's some men's clothing along with "her's"...he sees some dust on a pair of men's shoes...

ANDY

He seems to have made a strong impression on her. It looks like he's been here for awhile. Make sure she understands what harboring a wanted felon is all about.

And Andy gets paged. Andy, seeing who it is, uses the bedroom nightstand telephone to make a call....

ANDY

(after a beat)

I know you're in a bad spot. Here's the thing. If you don't say it in court, you're still in a bad spot...but it only gets a lot worse...because I'm going to tell those other people that you came to us. And you're better off with me as a friend, believe me on that.

He hangs up. He's quiet...there's a melancholy about him.

FRANKIE DIMARCO

What did the heart guy say?

ANDY

I wasn't twenty anymore.

FRANKIE DIMARCO

Some sharp doctor.

But there's something else on Andy's mind. He takes out a small notepad. He opens it to a blank page. He writes on the page. "Frank Koehler," and after it a "??". And as he leaves the bedroom.

WE'RE LOOKING AT A HOME BLOOD PRESSURE MACHINE. Andy checking his blood pressure. He writes down what it is, the precise time and the date, always the details, starting a chart. And we see he's in a small DEN-OFFICE, off of a living room in a small, comfortable APARTMENT. There's the sound of the front door opening, and a nicely dressed, attractive woman in her late thirties, comes into the apartment. We'll come to know her as MARY ROSENZWEIG, nee Mary Kelley. There's a reserved quality about her. She doesn't say more than she needs to. Andy puts the blood pressure kit away in a desk drawer before she can see it.

ANDY

How was your day?

MARY

Exhausting...Did you eat?

ANDY

I had a sandwich on the way home...

MARY

(stops to look at
some mail)

What did the doctor say?

ANDY

To try and relax.

She smiles...She goes by his office down a short hallway into the bedroom...We can see her in the bedroom, taking off her jacket....Andy in his office...

MARY

I called about that place in Providence...when can we take a drive down there to see it?

ANDY

Maybe next weekend...

She comes to the bedroom doorway...

MARY

That's what you said last weekend...

But we see he's looking at an old BLACK AND WHITE PHOTOGRAPH...a group of men at a long table at a dinner.

ANDY

I found this in a box of some things back of the closet. It was a retirement party for Teddy McCarthy. He did 30 years of service in the four one precinct...Never wanted to be anything but a patrolman. (and pointing out) There's Danny Lynch...Timothy Hill...George O'Brian...Richie Glennon...Everybody here was a cop except for Richie...Of the twelve, there's only two of us left...me and Danny Lynch...Everybody else, the peephole's closed.

MARY

(affectionately,
meaning the trip
to "Providence")

You can't even talk about retiring, can you, Andy?

ANDY

What am I going to do with myself, Mary?

Used to him, she doesn't pursue it...

MARY

I'm going to jump in the shower...

She goes back into the bedroom. A moment, and there's the sound of the shower running. Andy looks at the picture...the men at the long table...

AND WE'RE LOOKING AT A CROWDED SWIMMING POOL.

EXT. THE MIRAMAR CLUB, THE BRONX - DAY, 1963

A BRONX SWIM CLUB. But nothing fancy. For working class Bronx families. And we see ANDY, just twenty, coming by the pool, to an OFFICE. He knocks...a voice answers, "yeah...", and he goes inside....

INT. THE OFFICE, THE MIRAMAR POOL CLUB - DAY, 1963

Some men are sitting in a cluttered office, smoking cigars, playing cards...One of them, a man in his sixties, MATT ROSE, seems to run the show...

MATT ROSE
Who you looking for son?

ANDY
(awkwardly)
I read a flyer you're looking for a lifeguard.

MATT ROSE
(characteristically)
Can you swim?

The men laugh.

ANDY
(serious, shows him)
I have my senior Red Cross life saving certificate. I got it at the Bronx Rec center pool. I set the record for bringing up the sand bag. I can swim better than anyone.

MATT ROSE
(looks at certificate)
You're a regular fish, huh?

ANOTHER MAN
Where did you go to High School?

ANDY
Bronx Science.

THE MAN
A smart kid, huh?

MATT ROSE
A fish with a brain.

They laugh.

MATT ROSE
(after a beat)
Tell me something.

He seems like he's going to ask him something important...

MATT ROSE
(whispers)
Are you still a virgin?

ANDY
(answers,
seriously)
Kind of.

The men good naturedly laugh.

MATT ROSE
(laughs, an echo)
It's not one of those either, or,
situations.

The men look at each other...and Matt Rose shrugs, "Yeah, why not, okay."

MATT ROSE
(getting up)
Come on. I'll show you around the pool.

ANDY
I got the job?

MATT ROSE
Yeah, you got the job, until somebody drowns.

EXT. THE MIRAMAR POOL - DAY, 1963

Matt showing Andy around, introducing him...he comes to some young men and girls, hanging around a "beach area," a replica of a beach, with sand and beach umbrellas, by the pool.

MATT ROSE
(introducing Andy)
This is Eddie Bantz...Bobby McQuire...
Richie Glennon...Richie's going to be
the next middleweight champion of the
world. Just ask him, he'll tell you.

And RICHIE GLENNON, full of life, a good looking dark haired man in his late twenties...a far cry from the man we remember lying dead on the apartment floor with his legs crossed at his ankles...turns around...

MATT ROSE
This is Andy Rosenzweig...he's gonna
be a new lifeguard...

ANDY
You're a prize fighter?

MATT ROSE
He's 9 and 7. A ham an egger. He's a
fighter as soon as he learns how to
fight.

Richie smiles, a contagious smile...And there's a man's Voice...

A MAN'S VOICE (OVER)
Rosenzweig, what kind of a name is that?

Andy turns, and we recognize DANNY LYNCH, in his late twenties, his full head of dark hair, is standing nearby...

ANDY
Polish.

DANNY LYNCH
How do you spell it?

ANDY
(spells for him)
R.o.s.e.n.z.w.e.i.g. (undaunted) Just like it sounds.

And with more than a little bit of anti-semitism...Danny, sings the Mickey Mouse spell out...

DANNY LYNCH
"R..O..S..E..N..Z..W..E..I..G...."
"Rosenzweig..." "Rosensweig." We will hold our banner high...high... high..."

The young people laugh...

DANNY LYNCH
There's not a lot of "Rosenzweig's" around here.

ANDY
(doesn't blink)
I guess there's a first for everything.

They look at each other. There's a moment, and Richie Glennon is the first to break the ice...accepting him...

RICHIE GLENNON
It's okay...Danny's been hit over the head by the priest's too many times...Nice to meet you, Rosenzweig..

He shakes Andy's hand...And he smiles, his contagious smile, whispering to Andy...

RICHIE GLENNON
There's a lot of girls around here.

Andy smiles, he's found a home...

INT. ANDY'S BEDROOM - LATE AT NIGHT

Mary's asleep. And we see Andy, unable to sleep, looking outside. And as he lays there, sleep, a long ways away...

EXT. AN OLD APARTMENT BUILDING, LEFRACK CITY - DAY, 1997

We see Andy getting out of his car in front of an old twelve story dirty red brick apartment building, one of many such identical buildings, in an old housing development. As he puts on his hat and goes inside:

INT. APARTMENT BUILDING, LEFRACK CITY - DAY, 1997

Andy knocks on an apartment's door.

ANDY
Danny.

A MAN'S VOICE (OVER)
Who is it?

ANDY
Andy Rosenzweig.

A MAN'S VOICE (OVER)
Who?

ANDY
Rosenzweig.

A moment and the door opens and we recognize DANNY LYNCH, in his sixties now, but looks more like he's in his seventies, answering the door. He looks closely, peering out at him.

DANNY LYNCH
Is that Rosenzweig?

ANDY
That is.

DANNY LYNCH
I'll be a son of a bitch. Come in.

Andy, taking off his hat, follows him inside... Danny moving slowly, feels his way into a small living room...

DANNY LYNCH
I can't see so good anymore. The diabetes... I'm losing my eyesight...

He manages to make it to a television tray with some liquor bottles and glasses...

DANNY LYNCH
You want a drink?

ANDY
I stopped.

DANNY LYNCH
12 step?

ANDY
48 steps. It took me four times.

He's serious. He watches Danny struggle to pour a drink...having to peer closely as he pours it...He manages to only partially spill, filling a glass half full...He feels his way to sit down...Andy sits down....

DANNY LYNCH

(toasts him)

To your health.

(sensing Andy

looking around)

It's not a bad place. They got everything you could want right in here. A restaurant. A barbershop. The cleaner's right in the building here. I didn't want to stay there after Annemarie passed away...

Andy nods he understands. He notices a certificate on the wall...

DANNY LYNCH

I was the youngest ever made a detective in the city. 21.

ANDY

I remember that.

DANNY LYNCH

(shrugs)

Somebody's got to be the youngest. You know why they did it? They said I displayed extraordinary reflexes under extraordinary pressure. 1956. I was just back from Korea. A rookie. There was this guy Michael Sudia, a big tall, six-foot-four, beautiful looking kid, same age as myself, and a little guy, Felix Durante, had the whole West Side terrorized, doing stickups. They were heroin addicts, and deserters from the Marine Corps, and they'd got into a shooting in the Hotel Whitehall on a Hundredth Street and Broadway. I didn't know it. I was standing down in Riverside Drive, a new cop, on what they called a fixer then. You know, a fixed post.

AND WE SEE IN A SMALLER DETAIL ON AN EDGE OF THE SCREEN...like a scene from Thornton Wilder's play "Our Town," where memory and the present are as one...THE YOUNG POLICEMAN DANNY LYNCH, STANDING AT HIS FIXED POST ON RIVERSIDE DRIVE IN 1956.

DANNY LYNCH

This was December, a cold December night, and for some reason they decided to run toward me. I could hear them come running down the street.

THE YOUNG POLICEMAN HEARING PEOPLE RUNNING TOWARD HIM...

DANNY LYNCH

There was no one else around from West End Avenue to the Drive, just a lot of doctors' cars. I figured they'd broke into a car, no big deal. So when they got abreast of me, I stepped out and had my arms out with my nightstick.

THAT'S WHAT HE DOES...HIS NIGHTSTICK OUT, TO STOP THEM...

DANNY LYNCH

Sudia put a pistol to my head and said, "You son-of-a-bitch, you hand me your gun, or I'll kill you..."

SUDIA, HIS GUN TO THE YOUNG POLICEMAN'S HEAD...

DANNY LYNCH

I said, "Okay, Okay..." And I went into my coat. You remember, we had those big heavy coats, they wrapped around you, terrible heavy coats, if you could stand up in them all night, you were lucky to walk home. Anyway, when I cleared the holster, I fired through my coat.

AND WE SEE DANNY SUDDENLY SHOOT HIM THROUGH THE HEAVY COAT...

DANNY LYNCH

I shot him six times. You know how many times I hit him? Twice. Once in the heart -- once in the knee. The others passed through his clothing, and our noses were touching, so I guess I was frightened. He was dead by the time his head was by my knees.

AND WE SEE THE MAN, SHOT, NOSE TO NOSE WITH THE YOUNG FRIGHTENED POLICEMAN, DEAD BY THE TIME HIS HEAD IS BY DANNY'S KNEES...THE YOUNG POLICEMAN STANDING OVER THE LIFELESS MAN...

DANNY LYNCH

When I went to see his body at the morgue I met his mother. She told me she had prayed for her son to be stopped. I wasn't too happy about being the one that stopped him, but I never felt bad about it, neither. I mean, this was a bad bastard, and he had this wonderful, sorrowful mother.

And if we didn't know any better there seem to be tears in his eyes...from the years of coats too heavy to wear...

DANNY LYNCH

(drinking)
That was a long time ago, you know...

Andy nods...he knows...

ANDY

(after a beat)
That's what I wanted to talk to you about. Remember that guy Frankie Koehler? The one that killed Richie and Pete. Do you know if they ever got him?

DANNY LYNCH

Frankie Koehler? I don't know, I kinda lost track of the case.

ANDY

(nods)
So did I...

DANNY LYNCH

(says, ironic)
You're the D.A.'s chief investigator. And you're asking me?

ANDY

(a small smile)
Good point.

DANNY LYNCH

What I remember, he was a bad guy, had a quick fuse...he was mobbed up, with some west side guys, some Boston Irish crews...(and remembering) He had two tattoos on his left arm...a skull and a crossbones...(sarcastic) real original...and a heart...(a thought) How come certain kinds of guys always want to show you they got a heart...?
(getting up)
I got to pee every ten minutes...

He makes his way slowly to the bathroom...

ANDY

You need help?

DANNY LYNCH

(smiles)
What are you gonna do, hold it?

He goes into the bathroom. Andy quietly sits in the small apartment. He takes out his notepad. And after... "Frank Koehler" and the "?" he had written, he writes; "2 tattoos on left arm." And he draws a rudimentary skull and crossbones. And, a heart.

EXT. A MIDTOWN NEW YORK CITY POLICE STATION - DAY

We see Andy going up the steps into a midtown police station.

INT. MIDTOWN NEW YORK POLICE STATION - DAY

He comes to the Desk Sergeant. Showing him his I.D. and his badge.

ANDY
I called about a case. I spoke to a
Detective Stevenson.

THE DESK SARGEANT
Let me get him for you, sir.

He calls. Andy waits, looking around him at the old station.
A moment, and a plainclothes policeman comes out a door.

THE HOMICIDE DETECTIVE
(introduces himself to Andy) Detective
Stevenson.

They shake hands.

THE HOMICIDE DETECTIVE
I'm sorry, I got involved in
something...I didn't have a chance to
pull that yet. Can you wait...or I
can send it over?

ANDY
I'll go back there with you if you
don't mind.

It isn't a question.

THE HOMICIDE DETECTIVE
Help yourself.

They go back through a "bullpen" of offices and down some
stairs into a BASEMENT FILE ROOM. The Detective turns on the
light in the old file room. He looks at a slip of paper...

THE HOMICIDE DETECTIVE
You said on the phone
Clinton-McKinnon...double homicide...?

ANDY
No, that was Glennon and McGinn...

THE HOMICIDE DETECTIVE
I wrote it down wrong...

Andy doesn't say anything. The man goes over to a file
cabinet...Picks through the files. Andy silently waiting.

THE HOMICIDE DETECTIVE
(comes upon it,
bloodless)
Here it is..."Glennon, Richard and
McGinn, Peter." "1970." That it?

Andy nods that's it.

THE HOMICIDE DETECTIVE
(looking through
the file)
They knew the guy who did it. A Frank
Koehler.

Andy nods. The man reads the top page of the file.

THE HOMICIDE DETECTIVE
The last D-D-Five was written in May, 1992...It's a "Basis for Closing Case With Exceptional Clearance..." (and reading) "After an extensive investigation by the undersigned and other Detectives over a period of twenty-two years it is the opinion of the undersigned that the subject Frank G. Koehler is dead."

Andy nods.

THE HOMICIDE DETECTIVE
The last Detective who was on this in 92' is in Philadelphia now, if you want to talk to him about it I can get you his number. (a beat) I've got some things to do. (meaning file) You're welcome to look through it.

ANDY
Thanks for your help.

THE HOMICIDE DETECTIVE
(curious what he's looking for)
What do you got in mind?

ANDY
I don't know.

THE HOMICIDE DETECTIVE
(nods, and smiles, meaning the posted sticker under the light switch, "Save It")
Turn the light off when you're done.

He leaves, closing the door behind him. Andy looks through the old file. The CRIME SCENE PHOTOGRAPHS of the two dead bodies lying on the apartment floor. A PHOTOGRAPH OF the apartment hallway. A PHOTOGRAPH of the building's doorman. The artifacts of a murder. He comes back to the photograph of the dead bodies. Richie Glennon lying on the floor, his legs comfortably crossed at his ankles. Andy's quiet. The sound of the phones upstairs in the bullpen ringing. People talking. Somebody laughs. A radio playing somewhere.

AND THERE'S MUSIC FROM ANOTHER TIME.

INT. A SCHRAFTS RESTAURANT, WHITE PLAINS NEW YORK - DAY, 1967

A small wedding reception in a back room of the popular restaurant chain. We see Andy, in his early twenties, in a rented tuxedo...with his first wife, FRANCIS, in her wedding gown...standing in a reception line...and we see the dark haired, handsome, RICHIE GLENNON reaching Andy...

RICHIE GLENNON

(his smile)

You did it.

They warmly embrace...And Richie, shyly, with the slightest embarrassment...

RICHIE GLENNON

(affectionately)

I got you something...to make sure
you're always blessed like today...

And he gives him a necklace; with a crucifix and a Jewish star on a chain together...

INT. ANDY'S OFFICE, THE MANHATTAN DISTRICT ATTORNEY'S
OFFICE, DOWNTOWN - DAY, 1997

We see Andy sitting at his desk, crowded with case files, talking to a Man, in a fairly large office with windows overlooking downtown New York...the door open, a secretary is just outside the door...and there's the sense it is always busy here, even when it isn't...The phone constantly ringing...people coming and going...the man leaves...And we see that TWO OTHER MEN, ONE OF THEM, JOE PENNISI, ANDY'S DEPUTY, are sitting in the office with him...Another Man pokes his head in the door...

A MAN

We decided to let him go...we'll give
him just enough rope to hang himself.

Andy nods. The man leaves. Andy looks down at the old bulging case file, open on his desk...

ANDY

What I keep looking at is right here...where it says, "...it is the opinion of the undersigned that the subject Frank G. Koehler is dead." Since when is it an opinion? What were they thinking about? (pure Andy, precisely) They know by law homicide cases can be closed with "Exceptional Clearance" only when the subject's death is a matter of fact, substantiated by fingerprints from a corpse, a death certificate, or at least, an obituary. The detective who closed this case he had none of these. His conclusion is based entirely on negative results: (reading) "The subject has not surfaced...which leads one to reasonably believe the subject is dead." (reading on) "In fact, those who knew Koehler best considered it virtually inconceivable that a man with such a violent disposition and criminal history could have remained alive and out of trouble for more than twenty years."

And Joe Pennisi...a dour man who has a healthy sense of what's real and what isn't...

JOE PENNISI

That's not such a stretch, Andy. You said the guy was a lifelong criminal...(dour) that's what usually happens to criminals, doesn't it...they get caught or they get killed...

ANDY

(musing)

Yeah, I guess that's right...lifelong criminal...lifelong cop...everybody's a lifelong something...(a beat) but Koehler's relatives, even they left some doubt what happened to him. (refers to file) His mother for instance, who was found at something called the Blue Angel Motel in Las Vegas...when a detective went out there and talked to her she told him...

EXT. THE BLUE ANGEL MOTEL, LAS VEGAS - DAY, 1987

And we see a run-down Motel that fits its name...

INT. THE BLUE ANGEL MOTEL, LAS VEGAS - DAY, 1987

A Detective, an obvious New Yorker, sitting with a Woman in her late seventies, Frankie's mother, and she's saying...

FRANKIE'S MOTHER

I had heard in the early 70's that Frankie had been shot and killed...

THE DETECTIVE

Who told you that?

FRANKIE'S MOTHER

I don't remember. (a beat) But then I heard, another time, he was living in Boston.

ANDY (V.O.)

She couldn't make up her mind.

THE DETECTIVE

What's it going to be? Would you be willing to take a polygraph Mrs. Koehler?

FRANKIE'S MOTHER

A polygraph? What's that?

THE DETECTIVE

A lie detector test.

INT. ANDY'S OFFICE - DAY, 1997

ANDY

She refused to take it. (a beat, reading) And the manager of the "Blue Angel," Eula Chesser, she told the detective...

EXT. BLUE ANGEL MOTEL, LAS VEGAS - DAY, 1987

A woman with the Detective outside of the manager's office...

EULA CHESSE

She told me on a condition I didn't say anything, "If he were alive, the police would never take him alive, in that he had a real bad temper."

ANDY (V.O.)

A niece of Koehler's, in Chula Vista, California, she told a Detective in 1986..

INT. A HOUSE IN CHULA VISTA, CALIFORNIA - DAY, 1986

A woman in her late thirties...with Another Detective...

KOEHLER'S NEICE

I stopped asking about my uncle four years ago, when his only brother, his name's Kenny, he told me...

INT. THE SAME HOUSE IN CHULA VISTA - DAY, 1982

And we see a man who has only a passing resemblance to Frankie Koehler...KENNY KOEHLER, talking to the Niece...

KENNY KOEHLER

Frankie? When you live by the gun, you die by the gun.

INT. ANDY'S OFFICE, DA'S OFFICES, MANHATTAN - DAY, 1997

ANDY

But when this Kenny met with a detective in 1992, at a coffee shop called the Top and Top here in Queens.

JOE PENNISI

I know that place. They got a real good chicken pie.

INT. THE TOP AND TOP COFFEE SHOP, QUEENS - DAY, 1992

Another Detective meeting with Koehler's brother, Kenny...

KENNY KOEHLER

I'm sure I would have heard if my brother was alive...but I ain't heard word one from him since the night of the murders...so I guess I'd have to say he's dead...

THE DETECTIVE

You're sure of that? You don't think he could've survived without running into the law for twenty years?

KOEHLER'S BROTHER

Maybe, if he completely changed his environment. But I don't see that happening...

INT. ANDY'S OFFICE - DAY, 1997

He's quiet, looking at the file...

ANDY

They're saying he's dead...but there's nothing in here to conclude he's dead except that his mother and his brother said, "Frankie, he was a real bad guy, he has to be dead..." (troubled)
That's what they used for clearance on two homicides.

JOE PENNISI

(the realist)
Sounds like a squad lieutenant wanted to add to his closure rate.

Andy, without any bitterness, he's not a bitter man...

ANDY

(nods he knows)
Things slip through the cracks. It's nobody's fault.

His phone buzzes. He picks it up. And as he talks about something unrelated...we see him open up his notebook, and on what was once the blank page, that's becoming filled with notes, questions, thoughts...we see him write: "Dead? (Or) Alive?"

INT. MANHATTAN DISTRICT ATTORNEY'S OFFICES - DAY, 1997

And we see Andy, the old case file in hand, coming onto the "M.I.S" floor...cubicle after cubicle of people working on cases on computers as part of the Management Information System...He comes to a particular cubicle...where we see a woman, who's back we recognize...his wife MARY, is busy working on her computer...

MARY

(knowing he's there, without turning)
I don't have room for one more case...

ANDY

(asking)
If you could just bump this one up for me...

MARY

You know I can't do that...(properly)
Go through the proper channels...

ANDY

(smiles at that)
I could assign it to you.

MARY

(nods)
But you wouldn't.

He nods, but she senses its importance to him.

MARY

What is it?

And he shows her an institutional PAROLE PHOTOGRAPH of Frank Koehler, when he was in his early thirties...Frank staring out of the photograph, holding a sign board with his name on it, dated "1962," and "New York Prison Authority." "Green Haven Prison, Stormville, New York..."

ANDY

In 1970 he killed somebody I knew.

MARY

1970?

ANDY

They put a, "Closed by Exception," tag on it...but there's nothing to show he's dead.

MARY

Or alive?

ANDY

I can't say that either. I just want to make sure. If you can see if there's anything in the databases -- the death files...social security numbers, press archives -- anything that would show he had died...

She looks at him...seeing how important it is to him, and she nods she will...

ANDY

Do you have time for a break?

MARY

(shakes "no")
I've got to get back to this.

He nods. She turns back to her computer...He starts to go...

MARY

(after him, while she's working)
We'd have all the time in the world if you retired.

INT. A MANHATTAN COURTHOUSE - DAY, 1997

We see Andy coming through a crowded hallway to a courtroom. There's conspicuous security...Policemen in the hallway, standing guard outside a courtroom door.

GOUREVITCH (V.O.)

Some years earlier Andy had been on a wire tap detail when he met the mobster John Gotti, with some of his men, coming out of Gotti's social club.

EXT. A SOCIAL CLUB, LITTLE ITALY, NEW YORK - DAY, SOME YEARS EARLIER

We see Andy sitting in a car with another detective across the street from a Little Italy social club when John Gotti, with some of his men come outside...And Gotti seeing Andy...he says something to him...

GOUREVITCH (V.O.)

Gotti said some things to Andy that Andy took offense to...

And Andy suddenly gets out of the car...going right over to Gotti...

GOUREVITCH (V.O.)

And Andy tossed him around a little bit...putting Gotti up against a wall...

And we see Andy suddenly shoving Gotti up against a wall...showing him not to mess with him...Gotti's guys looking on...but doing nothing about it...Andy crossing the street getting back into their car...The Detective gives Andy a look like, "Are you out of your fucking mind..."

THE DETECTIVE

I can't believe you tossed him.

ANDY

If I can toss guys uptown, why should he get a free pass just because he wears a good suit...?

INT. MANHATTAN COURTHOUSE, COURTROOM - DAY, 1997

Andy, showing his badge, taking off his hat, goes into the courtroom...

GOUREVITCH (V.O.)

Andy had been called by the prosecution to testify in Gotti's racketeering trial.

He sees one side of the courtroom's seats are completely filled...the other side's seats virtually empty...except for the comfortable figures of some tough looking men...Andy takes a seat on the "comfortable side"...the men give him a cold look....

A MAN
(says to Andy)
This is for family members only.

ANDY
(pretends to look
around)
Where does it say that?

The Man gives him a stare. But Andy doesn't flinch. And the defendant, a familiar looking man in a perfect suit, the Dapper Don, John Gotti, turns around from the defense table..

JOHN GOTTI
(smiles)
You one of us now, Rosenzweig...?

ANDY
(pure Andy,
understated)
You know I work for the city of New
York. I'm just a civil servant, doing
my duty, John.

And while the trial proceeds; Andy, sitting in the courtroom, back straight, holding his hat in his lap, a civil servant indeed, waiting to testify...there's a melancholy about him...and as he looks down at his hands holding his hat in his lap...

WE SEE ANDY'S HANDS ARE WRAPPED AROUND A DRINK GLASS.

INT. "CHAMBERS," A BRONX BAR - NIGHT, IN 1963

And we see Andy in his early twenties, with a date, a pretty blonde haired GIRL, along with the young DANNY LYNCH and his wife, ANNEMARIE...and the handsome RICHIE GANNON and a date...are sitting at the bar of a crowded barroom, "Chambers," in the Bronx in 1963, drinking...A local cop bar, it's a hangout for Bronx cops and street guys...And Andy, learning how to drink...and not his first...is telling Richie.

ANDY
...I went and saw the guy you said to
talk to at the union local...he said
he'd hire me if I changed my name...

DANNY LYNCH
What's wrong with that...? Lots of
people change their names. John Wayne
did. Cary Grant did. Humphrey Bogart
did it. Sometimes it's for the good.
You're too sensitive about being a
Jew. Lots of guys are Jews....and
they change their names...And nobody
knows the difference...except their
families maybe....Call yourself Andy
Peters or something easy like that...

ANDY
(laughs) Why is it you always give me
such good advice?

ANNEMARIE LYNCH

Yeah, he's a real good guy to listen to. He'd send you the wrong way down a one way street.

They laugh.

RICHIE GLENNON

Another one?

Without waiting for an answer he orders another round of drinks for them. When Danny suggests to Andy...

DANNY LYNCH

You don't want to be an ironworker anyway. Why don't you think about being a cop? You'd make a good cop.

ANNEMARIE LYNCH

What are you telling him that for? To be a cop. He doesn't want to go around hitting people over the head like you do.

DANNY LYNCH

No. (definitely) Andy should be a cop or a fireman. Tell him, Michael, tell him he should be a cop.

ANOTHER MAN

There's only two reasons to be a cop. Your father was a cop and your grandfather was a cop. Nobody in his right mind would choose to be a cop.

Which is met with general agreement...when a man's VOICE comes from the crowded room...An older Man...with a florid face...and very blue eyes...who we'll come to know as FRANK BRUIN. And he says with great conviction...

FRANK BRUIN

There's nothing more honorable than being a cop.

And nobody is about to say anything else. As Andy looks at him:

EXT. THE MIRAMAR CLUB, THE BRONX - THAT NIGHT, 1963

The empty pool club. And we see Andy lying on the "beach" in a lounge chair with his date by the pool, Richie and his date on a lounge chair not far from them...making out with their dates. Andy and his date get up...they go up some stairs to a room over the clubhouse...Andy looks back at Richie, their eyes meet, Richie, knowing, smiling after him...Andy smiles at him, and turning, he goes up the stairs with the girl, and inside...We see a light come on...the sound of a radio playing...And we can see Andy and the Girl slowly dancing in the window...

EXT. THE MIRAMAR CLUB, BRONX - THAT NIGHT, LATER, 1963

The quiet club. Nobody around. We hear footsteps. And we see Andy and his date quietly coming back down from the upstairs room...and there's no mistaking what they have been doing...As they start by the pool...there's the sound of the OFFICE door opening, MATT ROSE coming out, locking up for the night. Seeing Andy...with the girl...

MATT ROSE

(to Andy)

I guess it's not either, or, anymore,
is it?

Matt smiles. And as he walks off...Andy, hands in his pockets, proud of himself, a man...

INT. ANDY'S FAMILY'S APARTMENT, BRONX - LATE NIGHT, 1963

We see Andy in bed in his bedroom in his family's small Bronx apartment in 1963...He can see into a small kitchen...A plate of food is on the table, waiting. His father's just come home...His mother and father speaking in YIDDISH...

ANDY'S FATHER (YIDDISH)

(proudly)

I got the most bookings of anybody
tonight. The other drivers were
bragging about cheating the meter.
They told me that everybody does it,
that I should too. (shakes "no.") I
won't cheat. (and he turns) I'll go
wash...

He goes down the short hallway to the bathroom...to wash his hands...on the way he stops at Andy's bedroom, he looks in...their eyes meet in the near dark...And Andy says:

ANDY

Why can't you learn how to speak
English?

ANDY'S FATHER

I'm speaking as well as I have to.
You can speak for all of us.

He starts to turn...

ANDY

I'm going to take the civil service
exam to be a policeman.

ANDY'S FATHER

A policeman? That's what you went to
school for? That's the best you can
do?

And as he continues down the hallway...Andy watching him
go...

INT. THE MANHATTAN COURTROOM - LATER IN THE DAY, 1997

Andy, still holding his hat in his lap, still dutifully waiting his turn to testify... And as he silently sits, holding his hat on his lap, waiting to do his job...

GOUREVITCH (V.O.)

When detectives speak of the moment that a crime becomes theirs to investigate, they speak of "catching a case," and once caught, a case is like a cold: it clouds and consumes the catcher's mind until, like a fever, it breaks: or, if it remains unsolved, it is passed on like a contagion, from one detective to another, without ever entirely releasing its hold on those who catch it along the way. In New York, on every shift, every Detective squad has its designated catchers. On the night Wednesday, February 18, 1970, Tom Hallinan had been catching for the Eighteenth Squad in midtown.

EXT. A NEW YORK ROW HOUSE, QUEENS - DAY, 1997

We see Andy on the porch of a small old Queens row house. One after another, each of the houses alike. The door opens. And a tall man in his late sixties with white hair, pale blue eyes, and as Gourevitch aptly describes him, a face like the road map of Ireland, answers the door... TOM HALLINAN.

ANDY

I'm Andy Rosenzweig. You remember me at all? I was with the BNDD Task Force, I worked some cases with you some time back.

TOM HALLINAN

Sure I remember you, Andy. Nice to see you again. Margaret left a note you were stopping by. Come inside...

Andy follows him inside...

INT. QUEENS ROW HOUSE - DAY, 1997

A television's on to a baseball game.

TOM HALLINAN

Can I get you something?

Andy shakes no. Hallinan sits down in a well worn leather recliner. Andy sits in a matching recliner. Dueling recliners.

TOM HALLINAN

I lived in New York my whole life and I still hate the fucking Yankees.

ANDY

(smiles)

I grew up Bronx...but the
Dodgers...when they left the city they
broke my heart..

TOM HALLINAN

You're with the DA'S office now?

ANDY

Since '85..You're doing security work?

TOM HALLINAN

(nods, shrugs) Verizon phone company.
It pays for the health care. What can
I do for you?

ANDY

Tom, I want to ask you about an old
case of yours.

TOM HALLINAN

(doesn't even have
to ask which one)

You mean Frank Koehler.

ANDY

How did you know that?

TOM HALLINAN

He's the only guy I never caught. My
family still kids me about it -- When
are you gonna catch that guy? I had a
great career. Everything was
positive. The only negative event was
not apprehending Frankie Koehler.

ANDY

You caught the case that night?

TOM HALLINAN

Yeah, I was just a block away at the
time, on the way to investigate a
burglary when I got the call, "Shots
fired," and the address...I was there
less than ten minutes after the fact..

And on the edge of the screen in a "memory"...WE SEE THE
YOUNG POLICEMAN, TOM HALLINAN, GUN DRAWN, COMING TO PETE
MCGINN'S APARTMENT DOOR...HE CAREFULLY STEPS INSIDE...

TOM HALLINAN

The smell of the gunpowder and smoke
reminded me of a firing range. And on
the floor was a terrible sight...

THE YOUNG POLICEMAN SEEING THE BODIES ON THE PARQUET FLOOR..

TOM HALLINAN

(with his
thoughts)

The things you run across, you know...

He consciously rubs a scar over his eye...you don't forget...

TOM HALLINAN

I was stabbed in '69 -- real deep...I tried to stop a guy on the street who didn't want to be stopped, and I felt the blade going into my head...and I fell down on the sidewalk, blinded by the blood...and I all I could think about was John Kennedy...(repeats) You been there, you know how it is Andy, doing the work, the things you come across...the things you see...

And he isn't complaining...Andy nods, "The things you come across...the things you see..."

TOM HALLINAN

(going on)

I knew it was Koehler did it after five minutes. In a back room of McGinn's apartment we found an older man bleeding from a bullet wound to the leg.

THE YOUNG POLICEMAN, TOM HALLINAN, WITH OTHER POLICEMEN THERE NOW, COMING UPON A WOUNDED OLDER MAN IN A BACK ROOM.

TOM HALLINAN

McGinn's uncle, Charlie. He worked as a Maitre D' at the Channel Seven. He said he saw his nephew fight with Koehler on the street, and when Koehler had come back to the bar, he went to warn Pete there could be trouble. Later, when he heard gunfire in the living room...

THE OLDER MAN CHARLIE, STILL IN HIS MAITRE D'S UNIFORM, HEARING SHOTS, COMING INTO THE LIVING ROOM...

TOM HALLINAN

...he stepped in, got shot in the leg...

HE GETS SHOT IN THE LEG...

TOM HALLINAN

...and dragged himself away to hide in the bathroom...

...AND DRAGS HIMSELF AWAY TO HIDE IN THE BATHROOM...

TOM HALLINAN

I called for an ambulance, while I waited I ran an address check on Koehler and sent a surveillance team to watch his apartment building over in Queens.

EXT. A QUEENS APARTMENT BUILDING - NIGHT, 1970

A surveillance team sitting in a car in the shadows watching a Queens apartment building....

INT. TOM HALLINAN'S ROW HOUSE, QUEENS - DAY, 1997

TOM HALLINAN

But he had a twenty minute head start...When I went to see Koelher's wife the next day, although he did go home after the killings, he didn't linger....

INT. FRANKIE KOEHLER'S APARTMENT, QUEENS - DAY, IN 1970

We see the young Policeman, Tom Hallinan, sitting in a kitchen, talking to a battered looking blonde woman, Frankie Koehler's wife...

FRANKIE'S WIFE

I was watching a show starring Anne Bancroft on television, and just when the news came on, Frankie came home...

INT. FRANKIE KOEHLER'S APARTMENT - THE NIGHT BEFORE, 1970

Frankie's wife watching the news on television when the door suddenly opens. Frankie, with cuts and bruises on his face, coming inside...She gets up...to go to him...to help him...

FRANKIE

(explodes)

Get out of my way. I had a fight.
Don't bother me.

And in his anger, he literally smashes the television set...

FRANKIE'S WIFE (V.O.)

I was afraid of getting a beating myself...so I went into the kitchen...He washed the cuts on his face...

His wife in the kitchen staying out of his way...She can see him down the hallway, in a bathroom, washing off the cuts on his face...

FRANKIE'S WIFE (V.O.)

...he took some cash out of an underwear drawer of his...

He takes some cash out of a bedroom dresser drawer....

FRANKIE'S WIFE (V.O.)

And he left...without saying anything.

INT. THE KITCHEN - THE NEXT DAY, IN 1970

Hallinan sitting in the kitchen with Frankie's wife.

FRANKIE'S WIFE

I don't know where he could be.

TOM HALLINAN

No idea at all?

She shakes "no." Not any idea at all. He doesn't seem to believe her...

FRANKIE'S WIFE

Would you like a cup of coffee?

INT. TOM HALLINAN'S ROW HOUSE, QUEENS - DAY, 1997

TOM HALLINAN

That was all I ever got from her...a cup of coffee...

It's quiet...

TOM HALLINAN

(troubled) I did everything I could, Andy...interviewed and reinterviewed Koehler's relatives, friends and acquaintances...watched their comings and goings from parked cars and doorways...listened on headphones to their phone calls...I can tell you anything you want to know about him, his relationships, his extended family...his contacts on the West Side, Chelsea, Hell's Kitchen, the Hudson River docks...he was well known and feared by the Westies, you know that crew, thieves and murderers just like him....I figured if we kept the pressure on eventually he was going to be flushed out...somebody was going to rat on him...But you know how it goes....1970, that year, there was over a thousand murders in the city...and before you look around, I was right back in the squad, catching other cases...And you know, time, it just kind of slips away...doesn't it?

Andy nods...he knows what that is...

TOM HALLINAN

Even after I retired from the force I would carry around a copy of his parole photo in my wallet...you never know who you run into...

AND WE SEE A COPY OF FRANKIE KOEHLER'S 1962 PAROLE PHOTOGRAPH.

TOM HALLINAN (V.O.)

In 1992 when they told me the case was closed, I tore the picture apart in frustration...

And we see him doing just that, TEARING THE PHOTOGRAPH apart.

TOM HALLINAN

You know what it does to you...it breaks you up...

ANDY

What are you going to do...? You can't take care of everything, Tom.

TOM HALLINAN

Yeah, but this is something I should of done something about...I shouldn't of just left it lay there...I wasn't ever convinced he was dead.

ANDY

I don't know. It's not proven yet Tom. (but assuring him) We're gonna prove it one way or another.

(and after a beat,
getting up)

Thanks for your time, Tom.

They shake hands.

TOM HALLINAN

I want to tell you. You catch up to him, be careful, Andy. If you get him, you better go armed. You'll have to kill him, or he'll kill you.

Andy nods. Tom shows him to the door...As Andy starts to leave...Tom, takes his arm...stopping him...why it still eats at him, after all the years...

TOM HALLINAN

People don't understand. Why it eats at you. Somebody's got to be there. You know, Andy. Somebody's got to be there to speak for the dead.

INT. A NEW YORK RESTAURANT - NIGHT. 1997

We see Andy sitting at a table in a small, nearly empty restaurant, reading a paperback book while he waits. We see Mary coming inside...crossing to the table...sitting down...And the first thing she says...

MARY

There's nothing at all in the databases...There's no record of Frank Koehler being deceased.

Andy nods.

MARY

Which doesn't mean a thing. A database is only as good as its data.

ANDY

(nods again) Thanks for doing that for me...(and smiles) And how are you?

She shyly smiles at herself...

ANDY
You hungry?

MARY
Starved.

ANDY
You want a glass of wine to start with?

MARY
(sensitively)
I know it's hard for you...

ANDY
I'm okay with it...Have a glass...

He motions for the waiter. He orders her a glass of red wine.

ANDY
(rhetorical)
Why is it alcoholics, even when they don't drink anymore, still always have to order...?

It doesn't require an answer. While they wait...

MARY
The Pelosi case...I found a credit card record for an airplane trip he took on the day he was supposed to be in the city. He's lying or somebody was using his credit card.

ANDY
(for her, proudly)
This Pelosi he's in for a big surprise.

She gets the glass of wine. He looks at it for a moment, and sublimating his desire, clinking his water glass with her wine glass...

ANDY
Cheers...

MARY
(appreciative)
Cheers, honey...

And he takes a drink of water...and there's a loneliness about him...a hole somewhere...He fingers the paperback...

ANDY
In this book...this Swedish detective...Martin Beck...No matter what he does, he never seems satisfied. Something is always missing in his life. He says sometimes he feels like a ghost...

He knows the feeling...

MARY

(always honest)

Maybe you shouldn't be reading so many gloomy detective novels...

And not without a sense of humor he laughs...

ANDY

(after a beat) (what's on his mind)
This one gets to me, Mary. Everyone knew this guy Frankie Koehler had shot and killed Richie and Pete. It was a simple case. It wasn't a whodunit or anything like that, just, "Where is he?" It was kind of matter-of-fact. People saying, 'Oh yeah, they just gotta pick him up.' They know where he lives, where he worked over at the Coliseum....Frankie Koehler, bad guy, tough guy...West Side of Manhattan...They're gonna find him because detectives do that. They know how to do it. They stick with it...they find him...Every day and every week, and then every few weeks and then every few months, we'd talk about it: "Aw, jeez, they still have to find him, pick him up." Maybe a year went by and they didn't pick him up, maybe two years, and you're moving on in life...

She's quiet...

ANDY

(after a beat,
wanting her
understanding)

I don't like to leave things hanging, Mary. It might make it a little less hard to retire if I got this thing settled.

MARY

Could it be, Andy, maybe it's just another reason for you not to retire?

And as the two of them sit in the small empty restaurant Mary drinking her wine...Andy, his glass of water...talking like people do...

INT. THEIR APARTMENT - LATE AT NIGHT

It's quiet. We see Andy in his pajamas sitting at his desk taking his blood pressure, precisely writing down his numbers, the day and the date, on his chart...He puts it away...He looks through the old bulging case file on his desk. Sensing something, he looks up. And he sees Mary, in her nightgown, having awoken is standing there.

ANDY
You okay?

MARY
I didn't feel you there. Anything wrong?

ANDY
(shakes "no")
I couldn't sleep.

She nods, still sleepy....

MARY
I'm going to go back to bed.

And she starts down the hallway to their bedroom...

ANDY
(after a beat)
Maybe we could go down to Providence, you know, take a look around.

MARY
(looks at him)
You know, I love you.

And she goes back down the hallway into their bedroom. It's quiet. He looks at the old bulging case file...He turns the file over backwards...and as he starts from the back...or, the beginning...having, nearly thirty years later, "caught the case..." searching for a ghost of his own...

INT. THE WRITER'S OFFICE, NEW YORK CITY - NIGHT

The Writer's stopped to look through a notepad...at his notes...And as he starts to TYPE again...

GOUREVITCH (V.O.)
At any one time there are nearly three hundred cases being handled by the Manhattan District Attorney's office. Each one of them needs investigating.

INT. ANDY'S OFFICE, MANHATTAN DISTRICT ATTORNEY'S OFFICE - DAY, 1997

And we see Andy at his desk...talking with one of his investigators...Andy's deputy, Joe Pennisi, sitting on the couch...

THE INVESTIGATOR
We talked to six eyewitnesses...We talked to anyone he ever knew or talked to...nobody's willing to come forward to say he was there...I can't help them make the case...

ANDY
Then I'm going to have to recommend we cut him loose...

THE INVESTIGATOR

This one sickens me. There's not a doubt in the world he did this to her.

Andy nods... "it's not the first case and it won't be the last case that sickens them...." The man nods and leaves... Andy's still for a moment, digesting his decision... and then... going to the door... looking out... two men are waiting outside his office talking to Joe Pennisi...

ANDY

Come on in...

And we see TOMMY PON, a SENIOR INVESTIGATOR in his late thirties, a soft spoken, no-nonsense man, and CHRIS DONAHUE, a fresh-faced rookie in his mid-twenties, but could pass for younger, come into his office... Andy gives them a file folder...

ANDY

I want you to keep an eye on this guy... His name's Kenny Koehler...

TOMMY PON

(looks)

Who's case is this with...?

ANDY

Nobody yet... I'm handling it right now, myself...

Tommy nods...

ANDY

Watch him but make sure you aren't seen doing so. Just eyeball him, no chatting. See who he spends his time with.

TOMMY PON

(experienced,
questioning)

What makes us so interested in this guy?

GOUREVITCH (V.O.)

He didn't tell Pon or Donohue why he was interested in Kenny, as Andy said, "lest they go off on a tangent."

ANDY

I just want to see if there's anything to be interested in.

EXT. A NEW YORK STREET - DAY, 1997

And we see a man familiar to us now... KENNY KOEHLER, Frankie's younger brother, in his late fifties now, coming along a New York street. And we suddenly hear the distinctive sound of a camera; "Click, Click, Click..."

And we see Tommy Pon and Chris Donahue, are sitting in a plain car across the street, taking pictures of Frankie's brother as he goes into a LAUNDROMAT. They can see him in the laundromat window...putting his clothes in a washer, finding a place to sit. As Tommy Pon takes another photograph...AND WE SEE THE PHOTOGRAPH OF KENNY KOEHLER SITTING ALONE IN THE LAUNDROMAT WAITING FOR HIS LAUNDRY TO BE DONE.

INT. I.A.T.S.E. LABOR UNION OFFICES, NEW YORK - DAY, 1997

We see Andy with a WOMAN in a large file room in the IATSE labor union office...The woman showing him a FILE...

THE WOMAN

The only employment record I have for a Frank Gilbert Koehler is between June 3rd of 1968, and February 18th of 1970 when he worked at the Coliseum....There's no record of him having worked through the union after that...His membership in the union expired in 1975...after five consecutive years of inactivity..

ANDY

(nods) I'd like to look at your employment records for the Coliseum...from 1970-1975...

THE WOMAN

May I ask what you're looking for?

ANDY

Somebody told us Mr. Koehler might've worked there but under a different name...

THE WOMAN

How would you find that out?

ANDY

I don't know...I have to look...

THE WOMAN

(after a beat)

Where would you like to start?

ANDY

1970-1975...anybody that was in the union and worked at the Coliseum...

THE WOMAN

That will take me some time to find...

ANDY

(a trace of irony)

I've got nothing but time...

He finds a place to sit in a chair and as he waits while she looks for the records he needs...in his familiar position, back straight, his hands holding his hat in his lap...

INT. THE IATSE UNION FILE ROOM - DAY, LATER, 1997

We see Andy sitting at a table, union records all around him...looking through rosters of names...his finger going down a list of names, not sure himself what he's looking for...

LAP DISSOLVE TO

Andy still sitting at the table, looking through the lists of names....he comes to a certain name and for some reason he stops...He's stopped at the name of, "FRANK FITZGERALD..."

EXT. A PATIO, THE MANHATTAN DISTRICT ATTORNEY'S OFFICE - DAY, 1997

We see people taking a break on a "smoking" patio...And we see Andy and Mary, having a snack, are sitting at a table with an umbrella off away from the smokers...As we come to them...and they've been talking...

ANDY

There was a D-D-5 written in June of 1984 by a detective who had made a run out to Queens to visit the manager of the apartment building where Frankie's little brother, Kenny, had lived, until a few years before...

And we see just that, a DETECTIVE, IN 1984, talking to an APARTMENT MANAGER at the manager's apartment door...Showing the manager A PHOTOGRAPH...

ANDY

He showed the manager the photograph of Frankie that was taken at Green Haven Prison when he was paroled in 1962...

THE APARTMENT MANAGER

(looking at the photograph and thinks he recognizes him)

I used to see him around here...he'd visit his brother at least, once, twice a week...

THE DETECTIVE

You're sure of that?

THE APARTMENT MANAGER

I'm not entirely sure...but he looked like this, only older...

ANDY

The brother, no matter how much they sat on him, he denied it...He said he was friends with a guy that came around...they played cards....went drinking together...that kind of thing...but he stuck with his story, he said he hadn't seen his brother since he disappeared...He said the manager must be confusing him with this other guy...

MARY

Maybe he was?

ANDY

Sure, sure could be. Could be. (a beat) There was even a thought, if you can believe it, Koehler kept working on a crew from time to time over at the Coliseum. I looked through the union records for around those years...I found a record for this guy having worked there...

And he shows her a copy of a UNION LIST...and the NAME...

ANDY

His name's Frank Fitzgerald...(shows her on the list)...date of birth, August 25, 1930...his birthday is exactly one year, one month, one day, after Frank Koehler's. Plus one. Plus one. Plus one.

MARY

It could just be a coincidence.

ANDY

Sure. But there's nothing strange about it. Criminals do that kind of thing all the time. They use simple things when they're constructing aliases...they even keep using their own first names a lot of the time...Another thing...this Frank Fitzgerald's address...in Tom's River New Jersey, it corresponded to something else in Koehler's file...in 1972...an informer told a detective on the case...

WE SEE A DETECTIVE, IN 1972, SITTING IN A CAR WITH HIS INFORMER...THE INFORMER TELLING HIM...

THE INFORMER

That guy, Frank Koehler you asked me about, somebody I know said he's been staying for the last month at this "men's" hotel called the Berkshire on the Jersey shore...

ANDY (V.O.)
They sent some people to look out for
him...

EXT. "THE BERKSHIRE" HOTEL, NEW JERSEY - DAY, 1972

A "MEN'S HOTEL" on the Jersey shore. Plainclothesmen in a car across the street watching the hotel...with its small lobby where you can smell the carpet...men coming and going...

EXT. THE PATIO, THE DA'S OFFICE - DAY, 1997

ANDY
But nothing came of it...

The patio's started to empty...people going back to work...

MARY
(seeing the time)
I've got to get back...

They pack up their stuff...

ANDY
Could you take a look in your magic box for what you can find out on this guy Frank Fitzgerald? Tom's River is just a hop skip and a jump away from the Jersey Shore...you never know...maybe something will come up...

MARY
I've never seen you like this, so consumed...

ANDY
Sure you have.

MARY
When was that?

ANDY
(touching her shoulder)
When I found out about you.

MARY
(shyly)
People are looking at us.

ANDY
(aware)
Sometimes I forget where I am.

He backs up a bit not wanting to seem inappropriate. Mary goes back into the building...Andy stays outside...sitting on the empty patio...in the quiet...And as he looks at his hands again...

INT. A NEW YORK APARTMENT - DAY, 1997

We see a child's hands....And we see Andy with a little GIRL, his grandchild, almost three, sitting on his lap...while Andy's son...in his thirties...is standing, practicing the saxophone...a professional player, he plays beautifully...and as he plays...the music becomes our music...as Andy's telling him...about the particular case that's haunting him...

ANDY

...I was looking at the statement this guy Koehler gave to police when he was arrested for murder in 1945...when he was just fifteen...

His son, interested, listens while he plays....

ANDY

He had gone with a friend of his, a boy named Billy Burns, over to visit Burns' girlfriend, Loretta Avalon, at her apartment in Chelsea. This Burns showed him a pearl, mounted on a half shell that Loretta kept in a jar on her bureau and said was worth five hundred dollars...

AND WE SEE THE JAR, WITH THE PEARL ON THE HALF SHELL INSIDE, ON A BUREAU...IN 1945.

HIS GRANDCHILD

(playing with
Andy's eyebrows)

How come you have hair here...(and meaning his bald head) and not here?

ANDY

(laughs) I used to have it here too...it went away...(as she plays with his eyebrows) (he goes on) She told them she had a gun. Burns bet her two dollars that she didn't, and she reached under the bed, took out a suitcase wrapped in a lady's slip...

WE SEE THE YOUNG GIRL, LORETTA, IN 1945, REACH UNDER THE BED AND TAKE OUT A SUITCASE WRAPPED IN A LADY'S SLIP....

ANDY

And she took out of it a .45 caliber Smith and Wesson six shot revolver...

WE SEE HER TAKING THE GUN OUT, THE TWO BOYS TAKING TURNS HANDLING IT...

HIS GRANDCHILD

...Can you read the witch book, grandpa...

HIS SON

She likes the "Wizard of Oz" pop up book...It's in the pile...

Andy goes to a pile of books on the floor, taking out the "Wizard of Oz" book...sitting back down with his grandchild. Opening the book...there's a pop-up tornado....

ANDY

Look at that.

HIS GRANDCHILD

A tornado.

ANDY

It sure is.

He turns the page...as he looks at it with her...

ANDY

The next morning, Koehler said, he and Burns they broke into Loretta's apartment, and took the pearl and the gun...they stashed it in Burns' cellar behind a furnace. (meaning the Oz book...) What's that?

HIS GRANDCHILD

A red tomato.

ANDY

That's right. It's really red. (turning the page...) But a little while later when Frankie went back alone to take a look at it, he found it was gone. "I felt sad," he said in his confession..."I didn't like it at all..." "I smelt something." He went looking for Burns with the idea of "giving him a good going-over."

HIS GRANDCHILD

A witch.

She shakes like she's afraid. Andy laughs. As she turns the page...A ruby red slipper popping up...

ANDY

When Frankie caught up with him he said Burns told him, "I got a buyer for the stuff." "Let's wait a little while." That set Koehler off. He said, "You punk, you know it ain't down there anymore." Then I, "smacked him," he said. And Burns told him he gave the pearl back to his girl. "So I thought he was bull throwing me." I told him, "Let's go over and knock off the YMCA together." He said, "All right," and, "You're not mad at me, are you, Frankie?"

(MORE)

ANDY (cont'd)

I said, "No, I ain't mad at you, Billy." "What's to be mad about?" Koehler said he led him to a derelict loft building behind the YMCA over on 23rd street...

AND WE SEE HIM LEADING BILLY TO AN ABANDONED BUILDING ON 23RD. Street....

ANDY

He said they climbed up the fire escape and went through a window on the second floor...

WE SEE THEM CLIMBING THE FIRE ESCAPE INTO THE BUILDING...

ANDY

What are these?

HIS GRANDCHILD

Yellow flowers grandpa...

She pretend smells them...

ANDY

Koehler said he let Burns walk ahead of him, then he pulled out a gun Burns himself had got for him at the Eighth Avneue Fish Market...

WE SEE THE TEENGER FRANKIE PULLING A GUN ON BILLY BURNS IN THE ABANDONED BUILDING...in 1945...

HIS GRANDCHILD

I have to go pee-pee...

She jumps off his lap running for the bathroom...His son goes to help her...Andy, sitting with the book on his lap...

HIS SON

(at the bathroom
door while he
watches his
daughter)

What did he do?

ANDY

Koehler said to him..."If you don't tell me where the pearl is, I will blow your brains out." When Burns tried to run, Koehler shot him in the back from a distance of about five feet.

BILLY TRIES TO RUN...KOEHLER SHOOTS HIM IN THE BACK FROM FIVE FEET AWAY.

ANDY

"He went down to one knee," Koehler told the cops.

WE SEE BURNS ON ONE KNEE.

ANDY

He said, "You shot me, Frankie." I said, "You bastard, you deserved it."

THE TEENAGE BOY, MORTALLY WOUNDED, LAYS DOWN ON THE FLOOR.

ANDY

Before leaving him there to die Koehler said he searched him looking for the pearl. But he didn't have it. Burns had told the truth when he said he returned it to his girlfriend. The girlfriend gave it as evidence to the police the next day. It turned out the pearl was a fake, made out of paste and glue, with a value of a dollar and sixty cents. Koehler was aware of these facts when he made his confessional statement, but he was still convinced that he had been double crossed. The closest he came to remorse was to say, "I'm sorry now for a buck-sixty."

HIS SON

And you think he's still walking around?

ANDY

I don't know...I'm trying to find out....

HIS SON

Mom always said that about you...you were never happy...you couldn't rest until you knew something for sure...(a beat) You don't how to give it a rest, do you dad...?

ANDY

I guess not.

They're quiet. Something between them. And his granddaughter comes running back out of the bathroom...

HIS SON

(after her)

You didn't flush.

She gets back on Andy's lap...the "Wizard of Oz" book...

ANDY

(sweetly)

You have to remember to flush...

INT. ANDY'S OFFICE, MANHATTAN DISTRICT ATTORNEY'S OFFICE - THE END OF THE DAY, 1997

And we see Mary is in his office, telling him she found...

MARY

Frank Fitzgerald has no criminal record...but his driver's license says he has blue eyes...and he's five nine...the same as Koehler...

And she shows him a copy of FRANK FITZGERALD'S DRIVER'S LICENSE...with his DRIVER'S LICENSE PHOTOGRAPH...Andy takes out of the bulky file Frank Koehler's (now familiar to us) PAROLE PHOTOGRAPH...the date on it..1962...

ANDY

Here's his parole photograph from Green Haven....1962...(taking out of the file another photograph) Here's after the FBI played around with it...enhanced it...showed what he might've looked like in 1992....thirty years later...

And we see the PHOTOGRAPH ENHANCED by the FBI to show what Frank Koehler might look like THIRTY YEARS OLDER...He matches it with Frank Fitzgerald's driver's license photograph. He slows...The similarity is striking...

ANDY

Jesus, he could be his twin...

MARY

(not so sure)

I don't know, Andy...A lot of people look alike...

They stare at the "enhanced" photograph of Koehler...the driver's license photograph of Frank Fitzgerald...Andy looks up, a man walking by in the hallway...

ANDY

William...

The Man, wearing a detective badge in his suit pocket, stops...Andy gets up...

ANDY

These two pictures...what do you see?

He shows him the enhanced photograph and the driver's license with its photograph. The man looks at them....

THE MAN

(after a beat, an educated eye)

They look like the same person to me.

Andy nods...

THE MAN

You after him?

Andy doesn't say anything...instead he goes into the hallway...

MARY

Where are you going...?

INT. HALLWAY/OFFICES, MANHATTAN D.A. OFFICES - DAY

...She comes out into the hallway after him...Andy goes into another office...The name plate by the door identifying the man as an Assistant District Attorney...

ANDY

(to his assistant)

Is he in...?

She nods...Andy pokes his head in...a Man at his desk reading some legal papers...

ANDY

What would you say about these?

He shows him the two...the enhanced photograph of Frank Koehler...and the driver's license with its photograph of Frank Fitzgerald...

THE MAN

(after looking)

Same guy, why?

ANDY

Nothing...

And he's on his way back out into the hallway...Mary, just behind him...He goes into the next office suite...He ducks his head into another office, a WOMAN, an assistant DA at her desk...Mary stands just outside the doorway...Andy showing the woman the photographs...Mary hearing her say...

THE WOMAN

It's a close call...but I'd have to say these are the same people...Aren't they?

INT. ANDY AND MARY'S APARTMENT - NIGHT, LATER, 1997

Andy and Mary have just come in the door...The phone's RINGING...Andy answers it...

ANDY

Okay.

He hangs up.

ANDY

I've got an arrest warrant for probable cause if I want to use it.

MARY

(taking off her coat)

You mean you're going arrest this guy just on the possibility he's the same one...What about fingerprints?

ANDY

I can't get them to try to match any
until tomorrow...

MARY

So wait until tomorrow...

And before he can say anything else she's already gone down the hallway into their bedroom...He stands in the hallway for some moments not sure what he's going to do...He comes into the bedroom...Mary's taken off her jacket, her blouse, gone into the bathroom...washing her face...Andy comes into the bathroom behind her...their eyes meet in the mirror...

ANDY

Sometimes what you're looking for
Mary, is staring you right in the
face...You have to trust what you
know...

MARY

And sometimes you can't see your face
because your own hand's in front of
your eyes...

She turns off the water. Dries her face. And turning out the light...she goes by him back into the bedroom. She disappears into her closet...Andy stands with his hands in his pockets...Some moments and she comes back out of the closet buttoning a nightgown...getting into bed...

MARY

Are you coming to bed?

He's quiet, not sure what he's going to do. And making up his mind...

ANDY

I don't want to find out he left
before I got there. I say let's go
get him, cut to the chase.

EXT. TOM'S RIVER, NEW JERSEY - NIGHT, 1997

A light snow is falling on an older suburban street. We see Andy, in his hat, an overcoat, getting out of his plain car...But he's not alone...local police cars close off the street...Policemen, out of their cars, in the street...Andy goes up the walk of an old, small, undistinguished, suburban tract house...he knocks on the door of the dark house. There's no response. He knocks again...When the lights come on, and after a moment a MAN in his late sixties in his pajamas opens the door. And we're not sure...is it Frank Koehler...?

ANDY

Frank?

FRANK

Yeah? What do you want?

ANDY

Come here.

He grabs him by the collar.

ANDY

You're under arrest for homicide.

FRANK

Homicide? I never killed anyone.
What are you talking about?

ANDY

Are you Frank Koehler?

FRANK

Who? I'm Frank Fitzgerald.

ANDY

(quietly)

You sure of that?

FRANK

(seeing just how
serious he is)I swear to God. You've got the wrong
guy.

GOUREVITCH (V.O.)

Rosenzweig was accustomed to remaining
unmoved when people he arrested
claimed that they hadn't done what he
said they did or that they weren't who
they thought they were.

ANDY

(studies him)

The name Frank Koehler mean anything
to you?The man shakes no. Definite. Andy looks at him, and seeing
how bewildered the man is, and sickened by what he's done to
him...

ANDY

I believe you.

It's quiet.

ANDY

Can we come in...?

Frank nods...sure...sure...Andy, takes off his hat, and with
some of the policemen follow him inside...

INT. FRANK FITZGERALD'S HOUSE, TOM'S RIVER - LATE NIGHT

Andy stands just inside the door. Franks goes right away to
a desk drawer...

FRANK

I can show you anything you want...I
have my Birth Certificate...

He takes out a birth certificate that's been protectively
laminated...

FRANK

My mother kept it clean like the crown
jewels...she said there was nothing
more important than being born here in
America. I can get my army discharge
papers you want to see them...

A WOMAN'S VOICE (OVER)

Frank?

And a frightened woman in her bathrobe...has come just down
the stairs...

FRANK

Everything's okay. There's been a
mistake.

(introduces)

This is my wife, Francis.

ANDY

(hat in hand)

My first wife, she was a Francis too.

There's an awkward quiet...

ANDY

(after a beat,
apologizing)

I'm terribly sorry...It was a mistake,
and sometimes you make mistakes -- and
it's not based on nothing.

FRANK

(accepting his
apology)

I made plenty of mistakes. But
homicide isn't one of them.

Andy shakes their hands...

ANDY

(grateful)

God bless you.

INT. ANDY'S APARTMENT, THE DARK BEDROOM - LATE AT NIGHT

We see Andy silently coming back into the room...It's dark,
Mary seemingly asleep. He starts to undress...

MARY

It wasn't him.

He shakes no.

ANDY

(upset)

I went off half-cocked...didn't think about what I was doing. The ends justified the means. Can you imagine how I'd feel somebody come into my home...just because he can...? I don't know what got into me? I don't know why I'm behaving like this...

He takes off his shirt and sits on the bed...still sickened...she's quiet...she's not going to give him forgiveness so easily...He unstraps his ankle holster...

ANDY

(needing to talk)

When I came on, my first job as a policeman, it was 1966...there was riots and unrest all over the city...They needed every cop they could get. I wasn't a day in the academy and I was sent right out on foot patrol...I wasn't more than twenty, twenty-one...

EXT. NEW YORK CITY - DAY, 1966

And we see Andy, just in his twenties, in a police uniform, standing on a street corner, hundreds of people walking by...

And we'll go back and forth, between Andy a policeman on the New York street corner when he was just twenty-one...And Andy, at fifty-two, sitting on the edge of his bed in the dark bedroom now...

ANDY

Alone. No partner, (he repeats) alone, no walkie-talkie, and -- your most important weapon, no knowledge of the law. You're some kind of I don't know what -- a Hessian, or a soldier, an occupying force, just someone in a uniform, and a gun, looking for trouble.

AND WE SEE JUST THAT YOUNG "SOMEONE": WEARING A FRESHLY STARCHED POLICEMAN'S UNIFORM, A GUN ON HIS HIP...

ANDY

So now you have your young officer Rosenzweig, on Forty-third street and Eighth Avenue... by the New York Times...

AND WE SEE A MAN APPROACH HIM AND TELL HIM...

THE MAN

Officer, there's a guy causing trouble up the street.

HE MOTIONS UP THE STREET AND WALKS AWAY...AND WE CAN FEEL THE IMMEDIATE TENSION, ANDY'S STOMACH TIGHTENING.

ANDY

You get this shot of adrenalin. It goes right to your stomach. Fear is what it is. But you got to do what you got to do...My first day on the job...

THE YOUNG POLICEMAN MOVING ALONG THE STREET.....

ANDY

And every step I take it gets a little worse...all I think about is "trouble..." And all I can hear are my footsteps...one after another....getting me closer and closer to the trouble...

WE FOLLOW ANDY'S FOOTSTEPS ON THE PAVEMENT, ONE AFTER ANOTHER, ONE AFTER ANOTHER, BRINGING HIM CLOSER AND CLOSER TO THE "TROUBLE..."

ANDY

So I go up the street and there's a guy a good half a head taller than me and maybe forty pounds heavier, and he's harassing people.

AND ANDY, THE YOUNG POLICEMAN, ON HIS FIRST DUTY, SEES JUST SUCH A MAN, A GOOD HALF A HEAD TALLER THAN HIM AND FORTY POUNDS HEAVIER THAN HIM, HARASSING PEOPLE...

ANDY

He's not assaulting anyone but he's acting disorderly. Just yelling at people and causing trouble.

WE SEE THE MAN DOING JUST THAT, YELLING AT PEOPLE, CAUSING TROUBLE.

ANDY

He was a discon - disorderly conduct - arrest if I knew what I was doing. But I was scared. I was definitely scared. I went up to him...

AND WE SEE ANDY APPROACHING THE MAN, AND HE SAYS TO HIM...

ANDY

Hey! Cut it out, and move along...!!

THE MAN

(dismissive) Fuck you...

AND HE GOES BACK TO HARASSING PEOPLE YELLING AT THEM AS THEY WALK BY...

ANDY

Hey, I'm telling you to move along...!

ANDY
(sitting on the
end of the bed)
I'm trying to exert my authority as an
officer. I have, like, half the right
instincts, but I had only half of
them. And I'm still scared...scared
plenty...

ANDY TRYING TO EXERT HIS AUTHORITY...

ANDY
Hey, hey...I told you to cut it out!
Cut it out! Cut it out now!

THE MAN
(in response)
Eat shit...

...PAYING HIM NO MIND...GOING BACK TO BOTHERING PEOPLE,
YELLING AT THEM...GENERALLY FRIGHTENING PEOPLE...AND ANDY,
THE YOUNG POLICEMAN HAS TO DO SOMETHING ABOUT IT...

ANDY
I had to do something about it...

AND THE YOUNG POLICEMAN, JUST HIS FIRST DAY ON THE JOB, SAYS.

ANDY
(after a beat)
Listen, I'm gonna walk back around the
corner. If you're here when I get
back, I'm gonna lock you up.

THE MAN
(undaunted)
Go fuck yourself...

ANDY
And I walked away...

WE SEE ANDY WALKING AWAY...GOING BACK AROUND THE BUSY
CORNER...DISAPPEARING FROM SIGHT...

Andy quietly sitting on the edge of the bed...After some
moments:

ANDY
And I didn't come back. I was so
scared I didn't come back.

She's quiet.

ANDY
That night, when I was off duty, I
stopped in at Chambers to have a
drink. I sat down next to Dave Cody,
a narcotics detective.

INT. CHAMBERS BAR, THE BRONX - NIGHT, 1966

And we see Andy sitting at the bar with a narcotics detective twice his age, DAVE CODY...

ANDY (V.O.)
We were having drinks. Having drinks.
Having drinks.

The men drinking...

ANDY (V.O.)
When I had enough drinks...

ANDY
(he tells him)
Dave, I had a situation today.

ANDY
And I told him the story start to finish. And when I was done he looked at me...he had these warm looking eyes...And I was just a new kid...

Dave Cody looking at him with his warm looking eyes...and he says...

DAVE CODY
You can't ever fucking do that! Don't ever do that if you want to be a cop! There's other careers. People are depending on you. You let people down there!

The Young Policeman tries to keep his head up...

INT. THEIR BEDROOM - NIGHT, 1997

Andy sitting on the end of the bed.

ANDY
I felt that small.

He puts his hand at the height of his knees.

ANDY
No, I felt much smaller than that. I felt totally diminished. After that anytime I made an arrest, my hands they would shake...they would be still shaking when I made out my arrest report....

INT. FORTY-FIRST PRECINCT - DAY, 1966

Andy, typing out an arrest report, a perp handcuffed sitting in a chair. We see Andy's hands are still shaking.

INT. THEIR BEDROOM - NIGHT, 1997

ANDY

It took me nine ten times before they didn't shake anymore. It's not a natural thing to confront another human being...a stranger you don't know...

MARY

What happened to Dave Cody? I never heard you talk about him.

ANDY

Dave...

INT. THE BAR, CHAMBERS, THE BRONX - NIGHT, 1966

We see Dave Cody talking to another Policeman...Andy, the young Policeman sitting at the bar nursing a drink, trying to deal with his insecurities...looking in the bar mirror at Dave Cody...the tough narcotics cop...

INT. THEIR BEDROOM - NIGHT, 1997

Andy sitting on the end of their bed.

ANDY

A few years later, during a crackdown on police corruption by the United States Attorney's office, Dave Cody was subpoenaed to testify against some of the people he worked with in the Special Investigations Unit. Instead he drove out to a park in Riverdale...

EXT. A PARK IN RIVERDALE NEW YORK - DAY, THE 1980'S

A plain Car pulls to a stop in the quiet park. Dave Cody.

INT. THEIR BEDROOM - NIGHT, 1997

ANDY

And he shot himself.

EXT, THE PARK IN RIVERDALE NEW YORK - DAY, THE 1980'S

He shoots himself.

INT. THEIR BEDROOM - NIGHT, 1997

Andy sitting on the edge of the bed. He looks at his hands...

ANDY

I don't know why. Some people's hands shake...some people's don't...

He gets up and puts his gun away in a dresser drawer. He takes off his pants. He gets into bed. It's still. We can feel how upset he still is.

ANDY

All I ever wanted Mary, was to be a good cop.

And as they lie in the darkness...we all have to live with our mistakes...

AND WE'RE LOOKING AT VARIOUS SURVEILLANCE PHOTOGRAPHS OF FRANKIE'S YOUNGER BROTHER KENNY KOEHLER...DOING NOTHING REMARKABLE...

INT. ANDY'S OFFICE, MANHATTAN D.A.'S - DAY

And we see the Investigators Tommy Pon, and Chris Donohue, in Andy's office showing him their "surveillance" photographs...

TOMMY PON

(reporting)

He comes and goes from his apartment very little...there was nobody he saw more than once or twice...A bar he goes to sometimes...most of the same faces...

We see a PHOTOGRAPH of Kenny at a small bar sitting with lonely people just like him...

CHRIS DONAHUE

He's a lonely old guy...just him and his wife...

TOMMY PON

What were we watching him for?

ANDY

I thought you might run into somebody.

Andy gives him the old bulky homicide file...and meaning the two of them...

ANDY

I'm assigning you this case...His name's Frankie Koehler...Kenny's older brother. In 1970 he murdered two people I knew...he hasn't been seen since...He was put down for dead. Case closed up. I decided to reopen it. Keep in mind, the whole time you do this, you may find out nothing more than this guy is dead. You been around plenty Tommy, you know with these kind of cases, there's a lot of failure.

TOMMY PON

(wry)

I got a good record of failure.
(beat) You got subpoena power?

ANDY

Yeah, Steve Sarraco and Dan Bibb are going to help us from the lawyers side of things...

Tommy nods.

ANDY

I want to retrace the steps of previous investigations...construct an up-to-date family tree...We'll subpoena Koehler family phone records, trace the calls, and determine each time a number is attached to a name if that name might be an alias for Frankie. Painstaking is what it's going to be...painstaking...

TOMMY PON

When isn't it?

Andy's phone rings.

ANDY

(after listening)

When did he skip?

And as he listens to an unrelated phone call he opens his desk...he takes out some three by five cards...He writes on the first card..."Frank Koehler." "Whereabouts unknown." "The next card. "May Koehler, mother." "Last known address Las Vegas." Next card. "Father." "John Koehler." "Deceased." Next card. "Brother." "Kenny Koehler, 57, married." "34th st. New York City." Next card. "Sister." "Joan (Koehler) Anderson." "Manhattan." Another card. Another name. Painstaking...

EXT. A SMALL APARTMENT IN BROOKLYN, NEW YORK - DAY

And we see a WOMAN in her early sixties, her hair a lot blonder than it ought to be, opening an apartment door. Andy standing in the hallway, at the door.

ANDY

(taking off his hat)

I appreciate you taking the time, Ms. Lawrence.

FRANKIE'S GIRLFRIEND

I go by Carter now.

She shows him in.

INT. FRANKIE KOEHLER'S GIRLFRIEND'S APARTMENT, BROOKLYN - DAY, 1997

We see some photographs when the woman was younger...much younger...when she considered herself glamorous...sad old pictures...

FRANKIE'S GIRLFRIEND

I can't believe you guys are still beating this dead horse. When nobody called for a few years I thought you finally gave it up.

ANDY

The last time you saw Frankie was the night of the murders?

FRANKIE'S GIRLFRIEND

That's right. He came by for a while....he said he was going to come over later...he never did....

ANDY

All these years. He never called? He never wrote? Nothing at all?

FRANKIE'S GIRLFRIEND

Nothing. You should run down his wife is what you should do. He was two timing her with me.

ANDY

(nods)

She disappeared...we're looking for her...see what she knows...

(after a beat)

Not a word from him? I was led to believe at one time he loved you.

FRANKIE'S GIRLFRIEND

Who said that?

ANDY

I don't know...you do this long enough...you get a feeling...It seemed you look at his file, the time you came along he could've used someone to love...someone to love him...I don't know...it was just a feeling...

She's quiet.

FRANKIE'S GIRLFRIEND

I don't know if he loved anyone...Love wasn't his best part.

She's quiet again. Remembering...

FRANKIE'S GIRLFRIEND

Maybe he loved me one time...He bought me a dress...for my thirtieth birthday...It was real red...Showed off my eyes...

AND IN A MEMORY WE SEE HER STANDING AT A MIRROR PUTTING ON A NEW RED DRESS FOR AN UNSEEN FRANKIE KOEHLER...

FRANKIE'S GIRLFRIEND

(remembering)

The zipper wasn't right...and he tried to zip it up for me...but he was none to gentle and he ripped it....and you would've thought he would be angry...but he wasn't...we both laughed about it...his hands...how he couldn't close a zipper...

She's quiet.

FRANKIE'S GIRLFRIEND

(after a beat)

He called once.

Andy looks up.

FRANKIE'S GIRLFRIEND

Six months after he left.

ANDY

You never told anybody that?

She shakes no.

FRANKIE'S GIRLFRIEND

He said to meet him....at a newstand on the corner of 47th and third avenue...I went down there...and I waited...

WE SEE HER WAITING AT A NEWSTAND ON 47th and Third Avenue...

FRANKIE'S GIRLFRIEND

I waited for over an hour...

HIS GIRLFRIEND WAITING...

FRANKIE'S GIRLFRIEND

He never came...

She's quiet...

FRANKIE'S GIRLFRIEND

But when I was standing there...I got this feeling he was there...you know, maybe across the street or something...just looking at me...

WE SEE HER, SENSING SOMETHING, LOOKING AROUND...

FRANKIE'S GIRLFRIEND

...There were a few other times...the phone would ring...nobody would be there...you know...you get a funny feeling...

ANDY

Anything recently?

FRANKIE'S WIFE

The last time was maybe a year ago... (shrugs) could've just been the wrong number....

ANDY

(nods)
Could've been...

It's quiet. They've run out of things to say...

ANDY

(after a beat,
gives his card)
I appreciate you talking to me. Call me if he gets in touch with you.

FRANKIE'S GIRLFRIEND

(smiles)
That would be a headline.

Andy slightly smiles.

FRANKIE'S GIRLFRIEND

You know what's funny? I think about it. Why did I ever get involved with him in the first place?

ANDY

You were young. People do all sorts of things when they're young.

INT. A PHONE BOOTH, NEW YORK CITY - DAY, 1997

And we see Andy on a pay phone...

ANDY

Her number is 3569642...I want to put a tap on it...

INT. THE SKYLIGHT DINER, MANHATTAN - DAY, 1997

And we see Andy sitting at a booth in an old, grim, diner. As he looks out the window and what he said to Frankie's girlfriend resonates, "People do all sorts of things when they're young..."

INT. "CHAMBER'S" BAR, THE BRONX - NIGHT, 1967

And we see Andy, in his mid-twenties, in his policeman's uniform, off duty, sitting drinking with other cops at the crowded familiar bar....

A MAN'S VOICE (OVER)

Andy, say hello to Francis...

Andy turns and sees a pretty young woman in her early twenties... (the woman we remember as the woman he marries) with another Policeman...

THE POLICEMAN

Francis is a nurse over to Bronx General.

ANDY

(smiles)

Bronx General. I was born there.

They shake hands.

ANDY

Would you like a drink?

FRANCIS

Something sweet.

Andy smiles. The bar filled, he gets up...and gives her his stool...She sits down...Andy, stands behind her...He orders something sweet for her, something not so sweet for himself...

ANDY

You're a nurse, huh?

She nods.

FRANCIS

A surgical nurse. (and) I've seen you in here before.

ANDY

(meaning sitting
at the bar)

I usually have my back to the room.

FRANCIS

(smiles, not so
shy)

I was hoping one of these times you'd turn around...

(and meaning the
Policeman)

Jimmy's a friend...He said you work in the four-one...He'd introduce me...

Andy nods...They get their drinks. They clink glasses;

FRANCIS

Happy days.

ANDY

Happy days.

FRANCIS

The four-one. Isn't that what they call Fort Apache...?

ANDY

I guess they do...

FRANCIS

Why is that?

ANDY
We're always under attack.

FRANCIS
Is that true?

ANDY
It gets busy...

FRANCIS
Did you ever see the movie, "Fort Apache?" It was my father's favorite. He dragged us all to see it when it came around again.

ANDY
(nods, yes)
John Wayne. Captain Kirby York.

FRANCIS
Shirley Temple was in it...she was Henry Fonda's daughter...You know what her name was?

He shakes "no."

FRANCIS
(laughs)
Philadelphia Thursday.

ANDY
You're kidding?

She shakes no. They laugh, enjoying each other.

FRANCIS
You know what I loved about that picture....There was nothing heroic about John Wayne. What do you call that? Warts and all.

They're quiet...they look at each other...Andy looks away...They nurse their drinks...

ANDY
There's only one movie for me..."High Noon."

FRANCIS
I never saw it.

ANDY
You never saw it? We'll have to fix that.

And as they share a smile...

INT. A NEW YORK MOVIE THEATER, A REVIVAL HOUSE - ANOTHER
NIGHT, 1967

We see Andy and Francis sitting in the balcony of an old theater watching the classic western, Gary Cooper going to face his destiny.

EXT. A NEW YORK STREET, BRONX - NIGHT, 1967

Andy and Francis, coming up the stairs from the SUBWAY...onto the sidewalk...there's a slight moment's awkwardness...not wanting the night to end...

ANDY

You want to come over? My place is just a couple of blocks away from here.

FRANCIS

(looks at her watch)

I've got the graveyard...

ANDY

I'll walk you over...

And while they walk...the quiet Bronx streets...

FRANCIS

(meaning the movie)

So that's why you wanted to be a lawman.

ANDY

(smiles)

I'm no Gary Cooper. Not by a long shot. I haven't met a lot of Gary Cooper's... (a beat, liking her company, wanting to talk) The biggest eye-opener is a lot of guys don't want to do the work...they come in, clock time, just waiting to go home...that's their business...This one cop, an older guy, he drove straight to a dark, cave-like spot under a highway overpass along the Sheridan Expressway...he parked there in the high weeds...

AND WE SEE IN A SHORT TERM MEMORY...ANDY SITTING IN THE PASSENGER'S SIDE OF A PATROL CAR WITH AN OLDER POLICEMAN DRIVING. THE POLICE CAR PARKED UNDER A HIGHWAY OVERPASS IN SOME HIGH WEEDS.

THE OLDER POLICEMAN

You want the back seat or the front?

ANDY

What do you mean?

THE OLDER POLICEMAN

I usually take the front...but if you want it, you got it...

AND HE SUDDENLY GETS OUT...GOES TO THE TRUNK...OPENS IT, AND COMES BACK WITH A PILLOW AND A BLANKET...HE TAKES OFF HIS SHOES, HIS GUN BELT, AND HIS PANTS, AND CLIMBS INTO THE BACK SEAT....TO TAKE A NAP...

THE OLDER POLICEMAN
(laying down)
Just don't answer the radio...

AND HE PROCEEDS TO LAY DOWN FOR HIS NAP...

Andy and Francis walking on the street...

ANDY
I let it go for awhile...I'm not all pure or something...but one night...while he's cooping...I heard the voice on the radio working alphabetically through the precinct's call signals...searching for a car to go to a reported burglary in progress.

THE POLICE CAR ANOTHER NIGHT...YOUNG ANDY SITTING IN THE FRONT SEAT...HIS OLDER PARTNER TAKING A NAP IN THE BACK SEAT...THE POLICE RADIO GOING THROUGH THE PRECINCT'S CALL SIGNALS...COMING TO..."FOUR-ONE-MIKE." AND ANDY CAN'T HELP HIMSELF, GRABBING UP THE MICROPHONE.

ANDY
Whaddya got, Central?

THE RADIO CALLS OUT AN ADDRESS...AND ANDY HAS THE CAR IN GEAR, MOVING OUT OF THE WEEDS...WAKING HIS PARTNER UP...GROWLING AS HE THROWS ON HIS PANTS...

THE OLDER POLICEMAN
What are you -- crazy? You stupid bastard!

ANDY
(angrily)
Listen, fuck you.

AND AS THEY ROLL AWAY...

Andy and Francis on the Bronx street walking...

ANDY
I think one of the bad ideas they come up with was to have air conditioning in the cars...the windows rolled up...you can't hear the street...

WE SEE ANDY IN A PATROL CAR WITH ANOTHER POLICEMAN DRIVING...THE WINDOWS ALL ROLLED UP...THE AIRCONDITIONING GOING...AS THEY PATROL IN AIRCONDITIONED SILENCE IN A VACUUM...

Amy and Francis on the Bronx street...

ANDY

You can't get any idea of what's going on... (beat) I ran out of partners real quick...so I'm my own...I have my own footpost....which is okay with me...

AND WE SEE YOUNG ANDY STANDING ALONE ON A STREET CORNER...ON PATROL ON HIS OWN FOOTPOST...

ANDY

I mind my own business that way...

FRANCIS

You're tough to get along with...

ANDY

(pure Andy)

I have my own way of doing things...if that's what you mean...

They've reached the HOSPITAL...She starts to go inside...

ANDY

You think I could see you again?

FRANCIS

You going to be difficult...?

He smiles, shy...They look at each other. And they kiss in the doorway. She turns, hurrying inside. As he watches her go....

EXT. ANDY'S FATHER'S APARTMENT, THE BRONX - NIGHT, 1967

We see Andy's father parking a work truck getting out, crossing toward his apartment building. And we see Andy, in his policeman's uniform, is sitting on a bench.

ANDY

Hello.

ANDY'S FATHER

We haven't seen you for awhile.

ANDY

I'm on duty the middle of the night, lately. I've been sleeping during the day.

His Father sits down on the bench beside him.

ANDY'S FATHER

I'm working two jobs. A cab during the day. A delivery truck at night.

He shrugs.

ANDY'S FATHER

You know what the best time is. When I'm all alone.

Andy nods, it's something he understands...

ANDY
[detects]
Your English. It's a lot better.

ANDY'S FATHER
(shows him,
secretly, a pocket
dictionary)
I carry it around.

He smiles. They're quiet. Sitting in the dark. The apartment buildings around them.

ANDY'S FATHER
How does it feel then?

ANDY
How does what feel?

ANDY'S FATHER
Wearing the uniform?

ANDY
Good. (he fingers his hat) (after a beat) I've been seeing a girl. I like her very much. I'm thinking of asking her to marry me.

ANDY'S FATHER
(after he absorbs
this, his only
comment, simply)
Good luck.

He kisses Andy's forehead. He looks up. At their apartment...a light on in the kitchen...waiting...

ANDY'S FATHER
She'll worry where I am.

He gets up and crosses into the building. Andy sits for a moment longer. And getting up, as he walks off along a quiet street...

EXT. A NEW YORK CITY STREET - DAY, 1997

We see Andy, in his familiar fedora, thirty years later coming along a New York street now. He goes into an old apartment building.

INT. OLD NEW YORK APARTMENT BUILDING, FOYER - DAY, 1997

A line of mailboxes, intercom buttons. He pushes a button to an apartment.

ANDY
Does Don Masters still live here?

A MAN'S VOICE (OVER)
He died five years ago...

ANDY

(a shot in the dark)

He was friends awhile back with a guy named Frank Koehler...do you know where I can find him?

A MAN'S VOICE (OVER)

What was the name?

ANDY

Frank Koehler.

A MAN'S VOICE (OVER)

Never heard of him.

ANDY

I'm leaving my card if you do...

He leaves his card at the mail slot...and as he leaves the foyer....

INT. THE SKYLIGHT DINER, MANHATTAN - ANOTHER DAY, 1997

Andy sitting at a booth in the old diner looking outside.

INT. ANOTHER APARTMENT FOYER - DAY, 1997

Another one of Andy's cards left in a mail slot...a foyer door closing behind him...

INT. ANOTHER APARTMENT FOYER - DAY, 1997

Still another of Andy's cards in a mail slot...

INT. THE SKYLIGHT DINER, MANHATTAN - ANOTHER DAY, 1997

Andy sitting in the familiar booth, looking out the window.

INT. ANOTHER APARTMENT BUILDING, A HALLWAY - DAY, 1997

Andy's card left under a door.

INT. ANOTHER APARTMENT BUILDING, A HALLWAY - DAY, 1997

Another one of Andy's card left in a door...and Andy, moving off down the hallway, in his familiar posture, his hat on, shoulders slightly hunched, head down....and as he walks off...paintstaking...paintstaking...

EXT. A NEW YORK DOG PARK, DOWNTOWN - DAY, 1997

We see KENNY KOEHLER going into a downtown DOG park. He sits on a bench. After some time a Man comes and sits down beside him. And we see Kenny buy a small bag of marijuana from him. And suddenly Two Plainclothes Policemen we're not familiar with are there...Showing their badges...

A DETECTIVE

Keep your hands where we can see them...

And as they take them both, Kenny and the "dealer" away...

INT. KENNY KOEHLER'S APARTMENT, 34TH STREET - DAY

The Plainclothes Policemen with Kenny at his apartment.

A PLAINCLOTHES POLICEMAN

You might want to get your phone book
or anything else with names of people
who can help you out of this...You're
in a bind...

We see Kenny take his personal phonebook...And as they lead
him out of the house...

INT. A DOWNTOWN NEW YORK POLICE PRECINCT - DAY, 1997

We see KENNY KOEHLER IN A HOLDING CELL...while we see the
Plainclothes Policemen giving Tommy Pon and Chris Donahue
Koebler's phonebook.

A DETECTIVE

He said all his names and numbers are
in here...

TOMMY PON

Thanks for the assist...Call if you
ever need anything out of us....

The Plainclothes Policemen leave. And as Tommy Pon and Chris
Donahue go through Kenny's address book...writing down names
and numbers...

INT. ANDY'S OFFICE, DA'S OFFICE, MANHATTAN - DAY, 1997

Andy, Tommy Pon and Chris Donahue...comparing names from
Koebler's phonebook with the old file....

ANDY

(notices, his eye
for details)

How about this. Frankie, at his first
arrest...on the first yellow sheet all
the way back in 1944...they listed as
one of his aliases..."Tex."... (meaning
from Kenny's phonebook) There's "Tex"
in here with five, six different
numbers...all of them scratched out
but a "recent" one...

And we see that...

TOMMY PON

What's that recent number?

ANDY

4689825.

TOMMY PON

(gets up)

I'll run an address on it...

EXT. BRIGHTON BEACH APARTMENT BUILDING, LITTLE ODESSA,
BROOKLYN, NEW YORK - DAY, 1997

Andy pulls up in his plain car in the predominantly Russian neighborhood. Tommy Pon and Chris pull up in their car across the street. Waiting. Andy gets out. He goes into an old apartment building.

INT. AN OLD BRIGHTON BEACH APARTMENT BUILDING, BROOKLYN -
DAY, 1997

Andy goes through the doors into a dank lobby and into an elevator...He rides up to the fifth floor. He gets out. It's quiet. He comes along a hallway. He reaches a door. He slightly raises his pants leg, his ankle pistol, ready if he needs it...He knocks on the door. Silence. He knocks again. Silence. Again. A moment and a man, grumbling, comes to the door. We can sense him looking out the peep hole. Andy puts his finger over the peep hole.

A MAN'S VOICE (OVER)
What do you want?

ANDY
Postal service. I have a certified
letter here for "Tex"...

The door opens, and a man in his underwear, just awakened from a nap, stares at Andy.

THE MAN
I am sorry, my English is not so very
good...You are what?

Another door opens...An older woman...

ANDY
(to the woman)
Would you ask him if a man who goes by
the name of Tex lives here?

She repeats it in Russian. The man says something to her in Russian.

THE WOMAN
He has only been in this country for a
month...everybody in this building is
Russian...are you sure the person you
are looking for is name of Tex here?

EXT. BRIGHTON BEACH STREET, LITTLE ODESSA - DAY

Andy comes out of the old building. Tommy Pon and Chris waiting in their car. Andy shakes "no." Tommy nods. They pull away. As Andy, hands in his pockets stands on the corner...

INT. A PHONE BOOTH, NEW YORK STREET - DAY

Andy on the phone with Mary.

ANDY

Maybe one of the digits on the phone number is off...

MARY

Let me see what comes up...

INT. ANDY'S OFFICE, MANHATTAN DA'S OFFICES - DAY

Tommy Pon's in Andy's office...Andy at his desk, looking at a list of names...

TOMMY PON

(reporting)

We got taps on the few numbers he calls regularly...

ANDY

(nods, the list

he's looking over)

I got his visitor list from Green Haven in 1951...let's take a look if anybody on here is still around...

(a beat)

What happened to that mail cover?

TOMMY PON

We started it last week...the only thing Kenny gets more than once is from a finance company. There's no return addresses worth looking into yet.

Andy nods. The phone buzzes. Andy answers.

EXT. A PLAIN CAR, A NEW YORK STREET - DAY, 1997

And we see the young Investigator, Chris Donahue, in a car across the street from an apartment building. And he's talking on a bulky cell phone, the battery as big as the phone...

CHRIS DONAHUE

Kenny's got a visitor. His mother just showed up.

And we see Kenny Koehler helping his extremely old mother out of a taxi...helping her into an apartment building on 34th street.

CHRIS DONAHUE

She has two suitcases...like she's going to stay for awhile...

And as the apartment building's doors close behind them.

INT. ANDY'S OFFICE, MANHATTAN DA'S - DAY

He hangs up. Tell Tommy Pon...

ANDY

Koehler's mother came to visit...
(after a beat,
looks, always the
details, realizes)
May 9th...It's Mother's day Sunday.
Let's get an end user's search from
the phone company for anybody that
calls. Maybe Frankie will call his
mother for Mother's Day...tell her how
much he loves her.

INT. THE SKYLIGHT DINER, MANHATTAN - NIGHT

The old diner. Andy, reading his paperback book sits quietly
at the familiar booth by a window, quietly waiting, reading,
looking outside. Mary comes in. She comes to the booth and
sits down.

MARY

Why this place?

ANDY

Frankie once used to live right over
here...He must've walked by this place
a hundred times...(shrugs) You never
know....maybe he'll walk by...?

As he looks out the window at the street...some people going
by...She shows him a print-out of a list of various names and
addresses...

MARY

This is every combination of that
phone number in the city...names and
addresses...

ANDY

All I want is one called "Tex..."
(a beat)

You hungry?

And as they sit at the booth in the diner, people walking
by...

EXT. ANOTHER STREET, NEW YORK - DAY

Andy knocking on a door. A man answers. Andy shows him his
card.

ANDY

Is there a Tex here?

The man shakes no. As Andy gives him his card to keep.

EXT. ANOTHER NEW YORK STREET - DAY

Andy, persistent, moving along another street...and as he
goes up an apartment building's stairs...we stay on the
street...some moments and he comes back out...he puts his hat
back on...and as he crosses the street...walking off...

INT. A DEPARTMENT STORE, NEW YORK - DAY

We see Andy's standing in the women's wear section of a department store, waiting for somebody. A saleswoman in her mid-thirties finishes with a customer...coming over to him.

ANDY
It's Karen, isn't it?

The Woman nods.

ANDY
(gives her his
card)
My name's Andy Rosenzweig. I'm the
chief investigator for the District
Attorney's office.

She looks at the card.

ANDY
I knew your father, not very well, but
I had spent some time with him.
Richie Glennon, he was a good friend
of mine.

KAREN
What do you want from me Mr.
Rosenzweig?

ANDY
I thought you should know...I've
decided to re-open your father's
case...There's a possibility the man
that killed him is still alive.

And her reaction surprises him...

KAREN
Why did you think I wanted to know
about this? We buried my father a
long time ago. This isn't something I
want to revisit. It's not something I
want dug back up.

ANDY
I thought you might want, your family
might want, some closure.

KAREN
(looks at him)
You take yourself seriously, don't you
Mr. Rosenzweig.

ANDY
I'm serious about what I do.

KAREN

I'm sure you are. But what you're doing is disrupting my life and everybody else's with this. You may find this hard to understand, but I hope you don't find him. I don't want to know if he is alive. I would prefer he was dead. I'd like to get back to work now...

She returns him his card and walks off. And as Andy turns, and goes back down the escalator...

INT. THE SKYLIGHT DINER, ANOTHER DAY - 1997

Andy sitting with Mary in the familiar diner.

ANDY

I talked to one of McGinn's daughter's she didn't want to hear about it.

MARY

Not everybody wants to bring up the past. Maybe some things are better left behind. Acceptance...it's the only way to move forward Andy, otherwise you're always going to be stuck in the past....

Andy's quiet...

MARY

No luck.

ANDY

Nothing. Dry as a bone. Those mother day calls. Her daughter called. Nobody else. We've come to a dead end with anybody here in New York...I'm going to have Pon and Donahue look at a branch of Koehler's family in California...He has a couple of nephews out there....brothers called McMullen, each of them's been arrested dozens of times....Burglary, arson, assault...It runs in the family I guess...

He watches the people walking by on the sidewalk...She looks at him...

MARY

You're knocking yourself out for what, Andy? Maybe it's better to let it alone. Maybe she's right, some things shouldn't be dug up.

ANDY

I feel like I owe something to McGinn and Glennon...there should be closure...

MARY

(smart)
There's only one person who needs
closure, Andy...

They look at each other...it's quiet...Andy looks outside,
the people going by. The waitress comes over to take their
order...

THE WOMAN

What do you want today, Andy?

But Andy suddenly gets up...

ANDY

(to Mary)
Come on.

MARY

Where we going?

ANDY

You're right. We should take a look
at Providence.

INT. ANDY'S PLAIN CAR, THE HUTCHINSON PARKWAY - DAY

We see Mary's driving Andy in the plain car...

MARY

I get onto the Merritt Parkway,
right...?

ANDY

(with the map, the
details)
Just a quarter mile up ahead...then
it's a straight shot to
Providence...You sure you don't want
me to drive?

MARY

You drive like an old lady.

He laughs. As they drive...

ANDY

(after some
moments)
Tell me about this place...

MARY

It's just five blocks from the
water...It's white with a blue
trim...two bedrooms...If you look out
in just the right spot...you can see
the sailboats on the bay...You can go
sailing anytime you want...

He nods...And underscoring his life his PAGER BEEPS...He
looks...

ANDY
Pull over at the first phone...

EXT. A PARKWAY REST STOP - DAY, 1997

Their car is parked Mary waiting. Andy on a pay phone. He hangs up. He comes back to the car...

ANDY
There's a situation going on. I've got to get to Ramsey, New Jersey right away...You can drop me off...or you can come with me...

MARY
I'll come with you...

ANDY
I've got to go...

She moves over...He gets in...he starts to drive...he puts a magnetic RED LIGHT out the window...turns on a siren...and as they go...

EXT. A MOTEL IN RAMSEY, NEW JERSEY - NIGHT

Bright Lights shine on a one story MOTEL...a SWAT TEAM...spread out...in a parking lot...all around the motel. Police cars their lights on, back from a MOTEL...and we see Andy, wearing a bullet proof vest now, standing with the senior investigator FRANKIE DIMARCO...

FRANKIE DIMARCO
One thing lead to another...to another...

ANDY
Which brother is this?

FRANKIE DIMARCO
The older one, Victor Dedaj...He's barricaded...in room #24...and supposedly he's got some heavy duty firepower...One of these, "I'm not leaving here alive guys..."

ANDY
(pure Andy)
I Love those guys...

Andy looks at the motel, and turns and crosses into a nearby "COMPANY E" RESTAURANT...

INT. A COMPANY E RESTAURANT, NEW JERSEY - NIGHT

And a POLICEMAN is just telling the people inside the restaurant the situation...

THE POLICEMAN

We have a suspect barricaded in a motel room...we can't let anyone leave the restaurant until we are able to make sure it is completely safe...We ask for you to please stay inside...we will keep you updated as to when you can safely leave...thank you for your cooperation...

A MAN

(as if he hadn't heard a thing)
Can we go outside...?

THE POLICEMAN

(patiently)
I'll ask you again to please stay inside the restaurant...

And Andy goes over to Mary sitting in a booth...

ANDY

Did you get anything to eat?

MARY

I'm getting a coffee and some pie...

ANDY

I'm sorry about this...

MARY

I have a book to read...Would you go and do something about this so I can get to Providence....

He goes back outside...and as Mary sits, reading a book...waiting...

EXT. THE NEW JERSEY MOTEL, UNDER SEIGE - NIGHT, LATER

Andy, in the flak jacket, standing around with Frankie DiMarco and the other POLICEMEN...

A NEARBY POLICEMAN

(on a phone)
He's threatening to come out shooting...

There's imminence. Andy looks over at the restaurant...He turns, quickly crossing back inside...

INT. THE COMPANY E RESTAURANT, NEW JERSEY - NIGHT

ANDY

(to a Policeman)
Have them close the blinds...and turn off the lights...

They do just that...Andy goes and sits with Mary for a moment...in the near dark...just the light from the kitchen stoves...the people quiet...And there's the sudden sound of GUNFIRE...Andy pushes Mary under the table...and drawing his gun he goes back outside...

EXT. THE MOTEL, NEW JERSEY - NIGHT

Andy gets there just as the SWAT team are bringing out the Dedaj brother...He walks by Andy...

ANDY

(worth a shot)

Where's your brother Simon these days?

VICTOR DEDAJ

No clue...

ANDY

Maybe you'll figure one out.

...and he's taken away...

INT. THE RESTAURANT, NEW JERSEY - NIGHT

Andy comes back inside. People, frightened, are still hiding under the tables...He crosses to Mary, bending...

ANDY

(gently)

It's all over. We can go now.

He helps her up...from under the table...They cross out of the restaurant...

EXT. THE RESTAURANT, NEW JERSEY - NIGHT

A light rain's begun to fall. They get in their car...Andy, driving now....

INT. THEIR CAR, NEW JERSEY - NIGHT

It's quiet. The rain on the roof.

ANDY

(realizes)

I forgot to take this off...

He still has his flack jacket on...He takes it off..

MARY

(quietly)

I'd like to go home, Andy.

ANDY

What about Providence, we're halfway there?

MARY

I can see Providence another time.

And for no apparent reason she starts to cry.

ANDY

It scared you?

MARY

I remember my father and I were going somewhere...I was about five...he had to make a phone call. He left me in the car. I kept thinking what if he never came back. When I was under the table...

ANDY

I'll always come back for you, Mary.

And as he holds her:

EXT. PROVIDENCE, RHODE ISLAND - EARLY IN THE MORNING

We see the car come to a stop in front of a small blue and white HOUSE. They get out of the car. A fence around the house. They open the gate, go up the walk. They knock. Nobody's around.

MARY

She doesn't expect us until nine...

ANDY

You want to look inside?

She shakes "yes." He walks around the house. A window ajar. He opens it, climbs inside. He opens the door for her. She goes inside.

INT. PROVIDENCE HOUSE - MORNING

The house is empty, freshly painted. They walk through the small empty house. They go upstairs. A bedroom. Mary at a window.

MARY

Look through here...

He comes behind her...and from just the one angle you can see the sea...boats out on the sea...

ANDY

(looks around)

It's nice...all this light...You don't get light like this in New York...

They're quiet...enjoying the light...the quiet...

MARY

(goes into her
purse)

I took some rolls...some butter...and
jelly...I have some water...

She puts them out. They sit on the floor...a little picnic...As they eat their small breakfast...peaceful...

MARY

I was going through your desk to find a pad of paper...I saw the blood pressure monitor...How long have you been doing that?

He doesn't say anything.

MARY

They worried about your heart?

ANDY

He said it was something to keep an eye on...I didn't want to alarm you.

MARY

Since when do we keep things from one another...

ANDY

We don't.

MARY

And I don't want to start. That's how trouble happens.

ANDY

(nods, agrees,
remembers)

Francis wanted us to move to the suburbs. I said okay, even if it was something I didn't want. The children were happy. I was never happy there. I should have said something a lot sooner probably. Francis, she meant well.

They're quiet. They sit on the floor in the Providence light.

ANDY

It's a high mortality profession. The odds are you're going to get divorced, become an alcoholic or kill yourself. Whichever comes first. I'm batting two for three.

MARY

Let's leave it like that.

Andy smiles.

ANDY

(thinking of his
career)

The only time I shot to kill was because of a mistake.

She listens...letting him expiate his demons...

ANDY

This was in 1970. Comes a night we were working. I was in my first year plainclothes, in the Anti-Crime unit...A joke went around, "what are we, pro-crime?" We stopped in this bar "Harry's," a bar over in the south Bronx...a bucket of blood type of bar I used to frequent in my drinking days alot...I was working with Jimmy Smith...and this guy Kenny Fiskin...a Police auxillary guy...who liked to ride along...

AND A MEMORY, LIKE "Our Town" COMES TO JOIN THEM. WE'RE IN HARRY'S BAR, IN THE SOUTH BRONX ON A NIGHT IN 1970, WHILE WE'RE IN THE HOUSE IN PROVIDENCE IN 1997.

A REGULAR BUCKET OF BLOOD TYPE OF A BAR. AND WE SEE ANDY IN HIS LATE TWENTIES, IN PLAINCLOTHES, ALONG WITH AN OLDER MORE EXPERIENCED POLICEMAN, JIMMY SMITH, AND A NON-STOP TALKER, KENNY FISKIN...

ANDY

I went to use the bathroom...

ANDY GOES INTO THE SMALL BAR'S BATHROOM...

ANDY

It's just a small crummy bathroom...and the stall door's open, and these two guys are speaking Spanish...and it looks to me like a drug deal might be going down.

TWO MEN IN A STALL ARE HAVING A CONVERSATION...THAT IMMEDIATELY SHUTS DOWN SEEING ANDY..ANDY JUST TURNS ON HIS HEEL AND LEAVES THE BATHROOM...

ANDY

I know Kenny Fiskin speaks Spanish...Kenny always squinted and blinked his eyes...but he knew how to speak Spanish and was extremely smart...

ANDY

(tells Kenny,
quietly)

Go in there and see what's happening in the bathroom...

AND KENNY, HIS EYES HABITUALLY BLINKING, GOES INTO THE BATHROOM. HE QUICKLY COMES BACK OUT.

KENNY FISKIN

There's a drug deal going down in there...

WHEN ONE OF THE MEN SUDDENLY COMES OUT OF THE RESTROOM...HURRYING PAST THEM...

JIMMY SMITH
(getting up)
I'll take care of him...

ANDY
(in motion)
I'm going for the other one...

HE RUNS INTO THE BATHROOM...ONE OF THE HISPANIC MEN STILL
INSIDE THE STALL...

ANDY
(shows him his
badge)
Get on the floor...!!!

BUT THE MAN TRIES TO MAKE A RUN FOR IT...ANDY JUMPS ON
HIM....THEY WRESTLE ON THE FLOOR BY THE COMMODE...ANDY AND
THE MAN GRAPPLING ON THE MEN'S ROOM FLOOR...

ANDY
He was a lot stronger than me...

AND SUDDENLY THE MAN TAKES OUT A BOWIE KNIFE STABBING AT
ANDY...HE SLASHES ANDY'S JACKET OPEN...HE COULD VERY EASILY
KILL HIM...

ANDY
That was when I decided to shoot him.
AND WE SEE ANDY PULL OUT HIS GUN...

ANDY
I wasn't anymore than two feet away...
AND WE SEE ANDY SHOOT HIM IN THE CHEST....

ANDY
And I shot him directly in the chest
and watched him fall away bleeding.
THE MAN FALLING AWAY BLEEDING....

ANDY
He layed there...didn't move at
all...I thought, Jesus, I killed
somebody. I killed somebody.
ANDY, TRYING TO CATCH HIS BREATH, STANDING OVER THE SLUMPED
STILL FIGURE ON THE BATHROOM FLOOR...

ANDY
(shouts out the
door for help)
Call for an ambulance...! Call for an
ambulance...!

HE STANDS OVER THE SLUMPED FIGURE. AND THE MAN OPENS HIS
EYES, AND MOVES...HE REACHES, TAKING OUT A ST. CHRISTOPHER'S
MEDAL...

ANDY

The man had been wearing a Saint Christopher, a miraculous medal around his neck, and the medal had worked, catching the bullet, saved his life...

Andy and Mary sitting on the floor in the morning light of the Providence house.

ANDY

Later, at the hospital, the man told me he hadn't been involved in a drug deal but was only collecting a gambling debt. I said why didn't you say something...before it got out of hand. And he said I saw a cop coming at me and he figured a cop probably just wanted to rip him off -- which wasn't so far fetched in those days...

(after a beat)

I never wanted to know what it felt like to kill somebody.

They're quiet. They look outside. After some moments:

MARY

I know it's not New York...and you won't have anybody to chase down...but it's clean...and we could make it down here, Andy...

He seems, at least, willing to try. His pager goes off. He makes a call.

ANDY

Where is that?

He listens, he hangs up.

ANDY

A phone number put us onto a contact in Boston that could be Frank Koehler.

EXT. THE PROVIDENCE HOUSE - MORNING

They go outside...They go up the walk...onto the sidewalk...

MARY

You think we'll ever be here again...?

He doesn't say anything...But he goes back and as he closes the gate....

EXT. BOSTON - NIGHT, 1997

We see Andy with some Boston police waiting across the street from an old Mystic River house.

THE POLICEMAN

He's been going by the name of Steven Phillips...a couple of our people made him as your guy. He's got some friends in the Winter Hill Gang been taking care of him...keeping him busy...Would you know what he looked like if you saw him?

ANDY

(honestly)

No.

The Policeman's walkie talkie squawks...

THE POLICEMAN

He's coming around the corner now....

They stand stock still...and a man, carrying a bag of groceries, comes around the corner toward the house. Suddenly AN UNMARKED POLICE CAR PULLS ALONGSIDE HIM. TWO POLICEMAN JUMPING OUT...YELLING AT THE MAN TO GET ON THE GROUND...the man, dropping his groceries, lays flat on the ground. Andy crosses the street. Standing over the older man.

ANDY

Frankie.

The man looks up. An older man. Andy can't be sure.

ANDY

Frankie Koehler?

The man just looks at him.

ANDY

Roll up your right sleeve.

The man obliges. Nothing distinguishing.

ANDY

(to policemen)

The man I'm looking for has a couple of tattoos...a skull and a crossbones and a heart...

And as Andy bends to help retrieve the man's groceries...

INT. A TRAIN, BOSTON TO NEW YORK - NIGHT

Andy, quietly sitting looking out the window, riding back down to New York. The houses going by....A man sitting beside him. Striking up a conversation...

THE MAN

What kind of work do you do?

ANDY

I'm an investigator, Manhattan District Attorney's Office.

He lets it sit there.

THE MAN

I sell fish...tanks...the whole thing.

ANDY

We used to have one of those tanks...the kids kept putting their hands in their and they all died.

The man smiles. They ride in silence. The train comes to a stop. The man gets up. He gives Andy a card.

THE MAN

If you're in the market for fish and a good tank.

ANDY

(looks at card)

Thanks.

The man gets off. Andy sits. As he looks out the window.

INT. A SUBURBAN HOUSE, LONG ISLAND, NEW YORK - NIGHT, 1976

We see in his suburban house coming home. The house quiet. He stops and sees the fish tank. The fish all dead. Upset, he starts to scoop out the dead fish. He senses somebody's there. And he sees Francis, in her nightgown has come into the living room. As he scoops out the dead fish.

ANDY

They couldn't keep their hands out of it.

FRANCIS

How you gonna tell a little kid to keep his hand out of something. Maybe it's not a good idea to have such sensitive fish.

Andy doesn't say anything....scooping out the dead fish...

ANDY

They came and asked me if wanted to be a sergeant.

FRANCIS

Well that's something, Andy. What did you say?

ANDY

I'd have to take a speaking class to do it...It's required to get your sergeant stripes. You need to be able speak to a group of people...

FRANCIS

You could learn how to do that.

ANDY

I guess so.

They're quiet. Something else bothering them.

ANDY

I know you and the kids are happy, but I don't like living out here, Francis...It just seems...so...I don't know...empty..

FRANCIS

You got to hear sirens every ten minutes to feel alive...I'm happy here....I don't have to bring the hospital home with me...The kids have someone to play with...ride their bikes on the street...

ANDY

(looks out)

I heard Michael's been hanging around with the mafia guy's kid across the street....that doesn't look good for me...

FRANCIS

He's a nice kid.

ANDY

I'm sure he is. His father's the problem.

FRANCIS

I'm sure that's what he says about you.

ANDY

I'm sure you're right... (an echo)
Everybody's something in this world...
(making up his
mind)

I think I'm going to take those classes...

They're quiet. She goes back to bed. He stands in the silence. And as he scoops out still another dead fish.

INT. A HIGH SCHOOL CLASSROOM - NIGHT, 1973

And we see Andy with a small group of men at a speaking class. A man finishes giving his speech, on "liberty" as represented by the Statue of liberty. The Instructor points out how he could have articulated some things differently, but is generally encouraging.

THE MAN

(calls)

Officer Rosenzweig.

Andy awkwardly comes forward. He uncomfortably arranges some notes.

ANDY

(very awkward)

My name is Andy Rosenzweig. I am with Bronx Narcotics. The topic I chose to speak about tonight is isometric exercise. (stilted) Isometric exercises are those in which a force is applied to a resistant object. I will demonstrate. For instance...

He leans, pushing against a brick wall.

ANDY

(demonstrating)

Force... (the pushing)... and resistance... (the wall)... Even though there is a build up of tension in the muscles there is no actual movement. Some of the rules of isometrics... To increase strength it is necessary to maintain a position in any one exercise for 6 to 8 seconds. The exercise should be repeated 5 to 10 times. Any one isometric exercise will only increase muscle strength at one joint angle. Strengthening the other joint positions requires repetition of further corresponding exercises. Isometric exercises on their own are not recommended for strength training. They are only a part of a complete exercise program. It seems that as long as you're flexing or applying force against something you're engaged in an isometric exercise. The great thing about isometric exercises is they can be performed just about anywhere at any time....

He is clumsily finished....

ANDY

I can give tell you some books to read if you're interested in pursuing it.

It's quiet.

THE INSTRUCTOR

(complimentary)

You've piqued our curiosity about a subject I'm sure most of us didn't know much about.

Andy shyly sits down.

THE INSTRUCTOR

Did we forget anybody?

FRANK BRUIN

I just got off duty...

And see the older policeman. FRANK BRUIN, comes in...

THE INSTRUCTOR

What are you speaking about tonight, Mr. Bruin?

FRANK BRUIN

I want to talk to you about St. Francis Di Assisi. (he gets organized and it's something he's passionate about). He was the founder of the Franciscan Order. He was born at Assisi in Umbria in Italy in 1181 or 1182, the exact year is uncertain...and he died there October 3, 1226. One of the stories of Francis is; on a certain morning he was hearing Mass in the chapel of St. Mary of the Angels, near which he had then built himself a hut, the Gospel of the day told how the disciples of Christ were to possess neither gold nor silver, nor scrip for their journey, nor two coats, nor shoes, nor a staff, and that they were to exhort sinners to repentance and announce the kingdom of God. Francis took these words as if spoke directly to himself and as soon as Mass was over threw away the poor fragment left him of his world's goods, his shoes, cloak, pilgrim staff, and empty wallet. At last he had found his vocation. Having obtained a coarse woollen tunic, the dress then worn by the poorest Umbrian peasants, and tied it around him with a knotted rope, Francis went forth at once exhorting the people of the country-side to penance, brother love and peace.

INT. 44TH PRECINCT, NEW YORK - ANOTHER DAY, 1973

A policeman introducing the young policeman, Andy, proudly wearing his sargeant stripes to a roomful of POLICEMEN...

THE POLICEMAN

Sargeant Roenzweig...Officer Rosenzweig spent seven years with the 4-1...served in Bronx Narcotics and the BNDD Task force....

And Andy nervously comes forward...the men looking at him....

ANDY

(after a beat)

I look forward to getting to know each of you personally...I want to make sure every man that goes out on patrol comes back safely from patrol.

The men are quiet.

A MAN
Can I speak freely?

ANDY
Please.

THE MAN
Guys over at the four-one said you
were a loner. Went your own way. You
weren't a team player.

That gets their attention.

ANDY
I guess that's right. I didn't do
everything a lot of them did in the
four-one. I'll tell you something
about me. I follow the rules and
expect you to. Other than that as
long as you do your job professionally
I'm going to stay out of your way.

INT. "CHAMBERS" BAR, THE BRONX - ANOTHER NIGHT

And we see Andy drinking with Frank Bruin...both of them
with their Sargeant stripes...they've been drinking for
awhile...And Andy confesses...

ANDY
(upset)
I'm thinking about getting a
divorce...

FRANK BRUIN
You wouldn't be the first.

Andy nods.

ANDY
What about the kids? What happens to
them?

FRANK BRUIN
They're going to be miserable anyway
you cut it. It's a lose lose thing...

Andy's quiet. Bruin gets up to use the rest room. Andy,
drunk, sitting at the bar. And he starts to sing, from the
liquor...out of his loneliness...."Oh don't forsake me oh my
darling, on this our wedding day..." from "High Noon..."

A NEARBY POLICEMAN
(annoyed, a tough
guy)
What the fuck's your problem?

ANDY
Who asked you?

THE MAN
I don't need to asked...asshole....!

And Andy suddenly comes off of his stool, the two men going at it, rolling around on the floor. When Frank Bruin pulls them apart...pulling Andy up...

EXT. ANDY'S SUBURBAN HOUSE, LONG ISLAND - NIGHT, 1970's

We see Frank Bruin dropping Andy off. Driving away. Andy comes up the walk. He sits on the steps. And as he sits on the steps in his uniform. His wife, his children inside sleeping. The marriage, for all intents and purposes over.

INT. THE SKYLIGHT DINER, NEW YORK - NIGHT, 1997

Andy sitting alone at the familiar booth. Mary comes in.

MARY

How was Boston?

ANDY

They got all sorts of things...BUT No Frankie Koehler.

They're quiet.

MARY

You think we could eat somewhere else?

ANDY

I'm going to close this case back up...

(and after a beat)

I'm going to retire, Mary. Thirty years of this is plenty.

She's still.

ANDY

I don't want to end up without you either.

As they look at each other across the table...

EXT. NEW YORK STREET - NIGHT

Andy and Mary, their breath showing in the night air, walking home. She puts her arm in his. Her head on his shoulder.

MARY

I'm dog tired.

ANDY

That makes two of us.

And as they move off along the street...

INT. ANDY'S APARTMENT, NEW YORK CITY - NIGHT, 1997

It's quiet. And we see Andy in the den, taking his blood pressure. He writes down the number. It's high. Sky high. He takes his pressure again. The number's the same. He looks in his wallet. He takes out a card for his Cardiologist. He dials. He gets the doctors service.

ANDY

Dr. Fremont is my cardiologist. (a beat) My blood pressure is off the charts. (nods) I'm holding.

He waits. And waits. And a Man's VOICE comes on the phone.

ANDY

Yes, Doctor. I'm 52. A Caucasian. 5'10," 180...I took it twice. Both times it was 200 over 110...No...no...no chest pains....no numbness...nothing like that (listens) Take two baby aspirins...okay....And take my blood pressure again in an hour...okay...(a beat, listens)...I guess so you could say that...I hold it inside alot. I've always been what you could say, was "tense." I was better at it when I could drink...No, not anymore. Oh, I don't know...almost five years now...I'm a policeman...(laughs)...No, Jewish if you can believe it...but I should've been born Irish...same bad habits...(and they get into a conversation, that is an emotional monologue for us) Yeah, stuff stays with you...you see things...it gives you a different look at life that's for sure...hardens you....Everybody thinks that guys are policemen for an authority thing...insecure people, who want to push people around...truth is most cops I know are the shyest, the least out front people I know...real decent human beings...yeah, who wouldn't want to be a fireman...the joke always was, the firemen are the guys who can figure out to put a ladder over a wall, cops they got to climb over it...(somber) Every cop I know, everyone of them's been divorced, committed suicide...or a lifelong alcoholic...but you'll never hear one of them complain...it's what it is...just what you do....(he trails off...and after a beat) I'm going to retire...thirty years is enough...There's nothing left for me to do...

(after a beat)

Yeah, it's a hard thing for me to admit...it's coming to an end....this is all I've been doing for a long time...I started out on patrol....I've done just above everything in the department since...I worked narcotics...major crime squad...I was a sergeant...a lieutenant...a Chief of Detectives...I love doing it...

(MORE)

ANDY (cont'd)
 I wake up every day knowing something different is going to happen today...It gives me a sense of purpose....(he trails off again...after a beat) Okay, I should take it again in an hour...and first thing in the morning...(listening) The first signs of chest pains...any weakness in my arms or legs...go right to the hospital. (he nods) (a beat, and what's eating him the most) "Am I satisfied?" I don't know, can you ever be really satisfied? (he trails off) (beat) Thanks for the conversation....what was your name again, Dr....?

But the man's gone...hung up....Andy sits in the quiet...and troubled he starts to sing to himself, talking more than singing, the familiar haunting refrain from "High Noon..."

ANDY
 "Do not foresake me oh my darlin', on this our wedding day...Do not forsake me, oh my darlin...Wait, wait along..."

And as we watch Andy all too aware of his mortality, quietly saying, singing...

ANDY
 "I do not know what fate awaits me, I only know I must be brave...And face a man who hates me....Or lie a coward, a craven coward...Or lie a coward in my grave..."

INT. ANDY'S BEDROOM - IN THE NIGHT

Andy lying in bed, unable to sleep...He keeps on feeling his arms...for numbness...his chest for tightness....listening to his own heartbeat...he tosses and turns...there's a long night ahead....And suddenly the PHONE RINGS...

ANDY
 (grabs it)
 Hello...

TOMMY PON (V.O.)
 I wake you up...I forgot the time difference...

ANDY
 It's okay...

Mary stirs.

ANDY
 (whispers)
 Let me go in the other room...

In his underwear he gets out of bed...going back into the den....

EXT. A SACRAMENTO JAIL, A PHONE BOOTH - NIGHT

We see Tommy in a pay phone on a Sacramento street outside of a PRISON...Chris Donahue waiting outside the phone booth for him...

TOMMY PON

Koehler's nephews, his sisters kids, these McMullen Brothers...One of the brothers, he's in jail here in Sacramento, doing time for burglary, assault, a little arson. I want to get a local prison investigator to monitor his outside phone calls...

INT. ANDY'S DEN - NEW YORK, LATE AT NIGHT

Andy on the phone standing in his underwear...

ANDY

You have an idea about something?

And we'll go back and forth between Tommy Pon in a pay phone outside a PRISON in Sacramento....Andy in his underwear standing talking on a phone in his den...

TOMMY PON

It's nothing solid...Frankie's nephews, the two brother's been in nothing but trouble most of their lives...no murders, but these are legitimate full time criminals...I talked to the one inside....told him I was interested in an unrelated case...he didn't have much to say...just the usual horseshit, and we're talking, and I don't know why I did, but I asked him..."Who do you look up to...?" "You know everybody's got some kind of hero...a role model that kind of thing..." And I expected he'd say the usual..."Jessie James," "Tony Soprano," you know, that kind of tough guy bullshit...but he said his uncle...I said innocent like, who is that?...and he didn't say too much...just an uncle he knew growing up...I asked him, "Oh yeah, who is that, again?" He said nobody that matters...says he hasn't seen him in years and years....Then he shut up about it...He wasn't going anywhere else with it...so I let it drop...It wasn't so clear, but this guy's a criminal...it's a logical conclusion. Who's his role model gonna be? You maybe? It's gonna be his criminal uncle....Frankie Koehler...We should see if they talk at all...

Andy's quiet.

ANDY

(after a beat,
thinking)

I'm gonna have to check with the
lawyers see if it's okay to tape his
prison phone calls....

TOMMY PON

I don't see there's anything illegal
about it....These guys know they're
being taped....They have a sign up
right by the phone big as
life...."THESE CALLS ARE TAPED."

AND WE SEE A PRISON PHONE WITH JUST SUCH A SIGN. "THESE CALLS
ARE TAPED."

TOMMY PON

It never stopped anybody...they still
talk.

(after a beat)

What do you have in mind for Chris and
me...You want us to come back?

Andy thinks about it for a moment....and something crosses
his mind...

ANDY

Hold on a second....I just remembered
something...

He goes over to his desk...he looks at his notebook with his
notes flipping through them, looking for something....he goes
back to the front...where he's written..."Frank Koehler, born
July 24, 1931..." Taking back up the phone...

ANDY

(after a beat,
smart)

It's worth a shot for you and Chris to
stay out there for a little while
longer...Koehler's sixty eighth
birthday is coming up on July
24th....for the occasion why don't you
watch the other McMullen brother who
isn't in jail? What's his name?

TOMMY PON

Danny.

ANDY

Danny. See if he sings happy birthday
to anyone.

And as Andy talks to Tommy...and now his heart is racing for
a good reason...

INT. POLICE STATION, BENECIA, CALIFORNIA - ANOTHER NIGHT

We see Tommy and Chris...talking to a Policeman...in a busy California POLICE STATION outside a crowded HOLDING CELL... Tommy goes to a pay phone...Makes a call...

INT. ANDY'S OFFICE, MANHATTAN DA'S OFFICE - LATE AT NIGHT

Andy, sitting at his desk, immersed in work, is still in his office...The phone rings...Andy answers it...

And we'll go back and forth, Andy in his office late at night...Tommy at the Police station in Benecia, California...

TOMMY PON

His nephew Danny lives in a place called Benecia....it's a peaceful enough place....just below where they got the wine...you know in Napa....we stopped at a place on the way and did a little tasting...a nice red...if you like red....we're about forty-five minutes out from San Francisco. (beat) You know what Danny McMullen did to celebrate his uncle's birthday?

ANDY

What's that?

TOMMY PON

Beat up his common law wife, threatened to stab her and her son, and got arrested.

ANDY

(wry)

Happy birthday.

TOMMY PON

(after a beat) We hooked up with a local FBI guy out here, name of Pete French...a real prince...he's gonna interview the battered wife and some other people with us....This way we can keep us being from New York and all, keep us out of it...Pete's gonna help us heat up the place and see what pops...reach out to some people and see if they could help us.

(after a beat)

I was talking to Frankie Dimarco...he said you're thinking of retiring for good...any truth to it, Andy...

ANDY

Yeah, I might of said something...It's been something on my mind...(with bravado, and new impetus) But I'm too young to retire...I got too much left to do...

And he sees Mary's come into his office...hearing what he's been saying...

ANDY
(on the phone,
drawing back)
I'm weighing my options...

He listens....says something...and hangs up...Andy and Mary look at each other...she doesn't comment, instead...

MARY
(sensitive)
You got a break on the Koehler case?

ANDY
(nods)
Maybe.

MARY
(understanding)
Why don't we bring in...?

INT. ANDY'S OFFICE, MANHATTAN DA'S OFFICE - NIGHT, LATER

And we see Mary and Andy sitting at the coffee table eating pizza...a cleaning woman cleaning around them...Andy's been talking...

ANDY
...I had a reputation for being honest...They asked me to join internal affairs...It was right around the Frank Serpico thing when there was a lot of corruption...I gave it some long thought...I was in the bar with Frank Bruin...I asked him what did he think...?

AND WE SEE IN A MEMORY ANDY AT THE BAR WITH FRANK BRUIN...LATE AT NIGHT...THE BAR NEARLY EMPTY....

YOUNG ANDY
They said they needed to clean up the department...they could use my help...

FRANK BRUIN
(nods..., sure)
You don't want it.

Andy doesn't understand.

FRANK BRUIN
It takes a certain kind for internal affairs...You're not a crusader...you just want to do the job, and do it right...Look, everybody's got their hand out...nobody's clean...Everybody's going down this time...

(MORE)

FRANK BRUIN (cont'd)

You put yourself inside of it, you'll end up alone, thought of as a rat, and you'll get set up to take a fall of your own....or you'll go to the other side, 'cause it's a lot easier that way...It isn't like you're stealing from orphanages....so you take a little taste of some drug money....put it aside for a rainy day...I don't know maybe you want to buy a boat...maybe your kid wants to go to a good college....so you look the other way while a deal goes down...what's it going to hurt...just scumbags dealing with scumbags....Why wouldn't you put a little away for a rainy day...no harm no foul...

They get another round of drinks...

FRANK BRUIN

I have nothing but sympathy for guys that go that route...you drag enough shit for long enough...you deserve more than a thank you, you know? So you buy a little second place to go fishing or take a couple nice trips with the wife...who the fuck's to judge...

ANDY

You ever take anything?

FRANK BRUIN

(shakes "no")

I'm too stupid.

(the last word)

You want to know what I think? Stay out of it...while you still got your self-respect...

And he downs his drink and leaves...Andy left sitting at the bar, drinking his self-respect...

And Andy, nearly thirty years later in his office with Mary, eating pizza...his self-respect intact...

ANDY

Twenty-four cops killed themselves over the next three years...couldn't take the shame...

(he reaches)

You want another slice?

INT. DANNY MCMULLEN'S APARTMENT, BENECIA - NIGHT

We see Tommy Pon and Chris Donahue standing off to the side as a thin man in his late thirties, PETE FRENCH, an FBI agent, is showing the enhanced photograph of Frank Koehler (from his parole photograph) to a thin woman, DANNY MCMULLEN'S WIFE, her face and neck battered and bruised purple...in the kitchen of a small Benecia apartment.

PETE FRENCH

He look familiar to you?

She studies the picture. She shakes "no." Gives him the picture back.

DANNY MCMULLEN'S WIFE

Never saw him in my life.

PETE FRENCH

Does he ever talk about an uncle of his...?

DANNY MCMULLEN'S WIFE

I didn't know he even had an uncle 'til you brought it up. If you hadn't noticed we don't communicate, him and me, very well...

INT. ANDY'S OFFICE, MAHNATTAN DA'S OFFICE - LATE NIGHT

Andy and Mary still in his office talking...the building dark...the halls quiet....

INT. THE APARTMENT MANAGER'S APARTMENT, BENECIA - NIGHT

Pete French showing the familiar PHOTOGRAPH of Frankie to the apartment building's manager...Tommy and Chris...standing off to the side....

THE MAN

(shakes "no")

I'm sure of it, I never seen him before...And I got an eye for faces...I never forget a face...

PETE FRENCH

Thanks for your time...

They turn to leave....going out the door...onto the walk...the manager about to close the door...when Tommy Pon...has a thought...he turns back...

TOMMY PON

(to the manager)

You mind if I take a look at Danny's apartment rental agreement?

THE MAN

(defferential)

You're wearing the badge...

He goes into a cardboard storage box, one of a number of boxes stacked on the floor...he opens it up...he takes out a RENTAL AGREEMENT...showing it to Tommy Pon. Tommy reads through it...he makes a note of something on a notepad...

TOMMY PON

Thanks for your time....

And he goes back out...

INT. ANDY'S CAR, NEW YORK CITY - LATE NIGHT

Andy driving, Mary alongside him, going home...His pager goes off...He sees who it is...he pulls over at a phone booth...he gets out...

INT. NEW YORK CITY PHONE BOOTH - LATE NIGHT

He dials a number.

INT. A MOTEL ROOM, BENECIA, CALIFORNIA - NIGHT

A small motel room. The phone RINGING. Tommy Pon answering the phone.

And we'll go back and forth...Tommy Pon on the phone in the motel room in Benecia...Andy in the phone booth in New York.

TOMMY PON

We've struck out...with the kid's wife...the apartment building manager...the neighbors....Nobody knows him from Adam.

ANDY

It was a longshot.

TOMMY PON

Yeah. I'm going to take a shower...
(done)
We're gonna catch an early plane out of here...

ANDY

Okay...

They both start to hang up at their separate locales....when Tommy Pon remembers....

TOMMY PON

Andy...You still there...

Andy, hearing his name, holds off hanging up...

ANDY

I'm here...

TOMMY PON

I meant to ask. Do you want us to check out Frank O'Grady?

ANDY

Who's he?

TOMMY PON

Danny McMullen, on his apartment rental agreement...he listed two references....a relative in Southern California...and a Frank O'Grady who lived at the Benecia Inn.

Andy hesitates...

ANDY

(sure of it)

I'll be there first thing in the morning...

EXT. AIRPLANE - LATE AT NIGHT

Andy, unable to sleep, looking out the window of a plane.

INT. A RENTAL CAR, A NORTHERN CALIFORNIA ROAD - EARLY MORNING

Andy driving along a Northern California road.

EXT. BENECIA, CALIFORNIA - EARLY MORNING

We see Andy's car coming through the quiet California town.

EXT. THE BENECIA INN, BENECIA CALIFORNIA - EARLY MORNING

Andy parks across the street from a small RESIDENTIAL HOTEL. And we see Tommy and Chris and Pete French, are already there, waiting in a car to meet him. They get out. The men briefly shaking hands.

ANDY

(to Pete)

Thanks for everything.

PETE FRENCH

(telling him about the place)

It's described as a place for people in transient situations...

ANDY

(nods, wry)

That's one way to put it....

They cross the street...Going into the dun colored three story low-rent residential hotel.

INT. RESIDENTIAL HOTEL, THE BENECIA INN - EARLY MORNING

They come inside. The lobby still. There's the sound of a desk clerk...but he's nowhere to be seen...

PETE FRENCH

O'Grady's in 2H.

Andy nods.

ANDY
(warns them)
It's him, he's not going to come easy.

They gather themselves. Weapons close at hand. Pete leads them upstairs. They come along a dank corridor to a door. They flank the door, ready for anything...while Andy knocks...

ANDY
Frank.

It's quiet.

ANDY
(knocks again)
Frankie.

Nothing. And before he can knock again, a door opens next door. A man in his fifties, who's seen better days...

ANDY
(shows his badge)
We're looking for Frank O'Grady.

THE MAN
(sure)
He's not around...

ANDY
What makes you so sure?

THE MAN
He's down in Reno, gambling. It's his birthday.

Andy's still.

ANDY
This him?

He shows him the enhanced photograph of Frankie Koehler.

THE MAN
Close enough.

And as Andy looks at the closed door...so close...

INT. ANDY'S OFFICE, THE MANHATTAN DA'S OFFICES - DAY

Andy sitting at his desk. Tommy Pon is in his office along with Chris Donahue and Joe Pennisi...

TOMMY PON
(upset)
We fucking blew it! We're right there. Twenty seven years....and we tipped him off!

ANDY

You pretty much proved he's alive.
That's the first step. Now we're
going to go get this guy. If we have
a lot more work to do, we'll do a lot
more work.

TOMMY PON

For some reason French has taken it
personally...he's on a mission to find
him....

EXT. BENECIA, CALIFORNIA - DAY

And we see Pete French with two other FBI agents, working
their way up and down First Street, Benecia's main
thoroughfare....and there is no attempt at being
inconspicuous....guns on display....going up and down the
block....Pete, talking to a man...

THE MAN

Frank's a good egg...You can count on
him. He says he's gonna do something,
he does it...

And Pete talking to another man...somewhere else along the
block...

ANOTHER MAN

Edward Frank O'Grady....you mean New
York Frankie....? He's Mayor of
Downtown...he spends his days walking
from the Benecia Inn at one end of
First Street to the old Tannery
Building...where he worked as a
part-time custodian, at the other
end....and then back again....he hangs
around along the way...drinking coffee
and chatting with the regulars at the
Union Hotel...

INT. THE UNION HOTEL, BENECIA CALIFORNIA - DAY

An old threadbare hotel....men sitting around with nothing
more to do...

A MAN

(telling Pete)

O'Grady spends a lot of time at the
cafe...."In The Company of Wolves."
What are you looking for him for?

PETE FRENCH

Just want to ask him some questions.

INT. "IN THE COMPANY OF WOLVES" CAFE, BENECIA - DAY

PETE FRENCH

What can you tell me about Frank
O'Grady?

And we see he's talking to DEB AND DEB the two lesbian proprietors of "The Company of Wolves...."

ONE OF THE DEB'S

He's a generous, community-spirited man, always ready to help people in need and kind to children and small animals. We talked about opening a New York style delicatessen together....but nothing much came of it...

INT. ANDY'S OFFICE, MANHATTAN DISTRICT ATTORNEY'S - DAY

Mary comes in...

MARY

There's no social security number, no record of a driver's license...no credit cards, bank accounts...not even an electric bill...nothing at all for anybody named Frank O'Grady in Benecia, California.

Joe Pennisi brings a fax in to Andy....from the FBI...

JOE PENNISI

It's from the FBI, Northern California office...

Andy nods for him to read it...

JOE PENNISI

(reads)

The FBI's saying he arrived in Benecia in the mid 1970's with a wife, who was also a New Yorker...for most of the time since then he had lived with her in a small house she had purchased downtown...

And we see HIS WIFE, that we only faintly recognize with the passage of time...once a young blonde woman...in her sixties now...coming out of a small house to get the mail....and we see across the street two men in a plain car....keeping surveillance....As one of them takes her picture...

JOE PENNISI

(reading on)

For the past three years O'Grady's been living at the Benecia Inn with a girlfriend named Dolores Kenyon, although he continued to see his wife almost every day.

TOMMY PON

He's got it made...

AND THERE ARE SUDDENLY SIMALTANEOUS KNOCKS ON DOORS. AND WE SEE SIMALTANEOUSLY IN SEPERATE PLACES...POLICE WITH WARRANTS IN HAND SEARCHING BOTH THE HOUSE OF HIS WIFE AND HIS GIRLFRIEND, DOLORES KENYON, A WOMAN IN HER FORTIES, AT THE BENECIA INN. THE POLICE, AFTER DUE DILLIGENCE CARTING AWAY BOXES OF PERSONAL PAPERS. AND AS HIS THINGS ARE TAKEN OUT...

Pete French IN THE BENECIA INN ROOM, talking to his girlfriend, Dolores...

DOLORES KENYON

(adamant)

I don't have a clue where he is.

PETE FRENCH

(tough)

That's hard for me to swallow Dolores. I don't want to have to detain you on this. Maybe you better think a little harder.

And seeing he's not fucking around...

DOLORES KENYON

(coming clean)

I had gone to Reno with him for his birthday. He got a call there from someone on Friday night that upset him a lot...he left me at the hotel, he said he had to take care of some business.

The Phone rings in Andy's office..

ANDY

(answers)

Put him on.

And we see Pete French using a telephone in the lobby of the Benecia Inn.

PETE FRENCH

O'Grady's definitely Frankie Koehler. Nobody knew, except for his wife...and she isn't saying anything about anything....We have her, and his girlfriend's phones tapped, and both of them are under round the clock surveillance...

Andy's quiet...listening...

ANDY

Thanks for all your good work.

He hangs up. He sits for a moment...troubled...

ANDY

For twenty seven years he held his
mud. His family did too. I don't
know if it's because they feared him.
Or loved him. (bitterly) He got to
start a whole new life. A lot of
people would like to start all over.
I bet Pete McGinn and Richie Glennon,
they would too.

INT. THE SKYLIGHT DINER, NEW YORK CITY - IN THE AFTERNOON

We see Andy quietly sitting in his familiar booth. Mary,
with a shopping bag, comes inside.

ANDY

(shrugs)
You never know.

MARY

(understanding)
Here we go again.

He slightly smiles. Before the waitress can come over....JOE
PENNISI, his deputy, comes hurrying in.

JOE PENNISI

The FBI just reported that Frankie
Koehler was believed to be arriving at
Penn Station on Amtrak train No. 48
due in at 3:41.

ANDY

(looks at his
watch)
It's seventeen after...Call Tommy to
meet me there...and call Penn Station,
Amtrak security...

He looks at Mary, and runs out of the diner....

EXT. NEW YORK STREET - DAY

As Andy runs across the busy street....

GOUREVITCH (V.O.)

What Rosenzweig didn't know, was that
Pete French had gone back that morning
to question Dolores again.

INT. THE BENECIA INN, DOLORES KENYON/FRANK O'GRADY'S ROOM
- MORNING

French with Dolores. And he's "squeezing" her....

PETE FRENCH

Everybody I talked to said you didn't come back here until Sunday...You're ducking me. You're getting knees deep in shit here Dolores...this is a murder case...you could become an accessory after the fact...Maybe you and me should take that trip downtown we talked about...

DOLORES KENYON

(folding into her chair, honestly)

I drove him to Martinez...you know that town next door to here....

EXT. NEW YORK CITY STREET - AFTERNOON

Andy, running...looking at his watch...3:26...and as he runs down the block...

INT. BENECIA INN, DOLORES KENYON AND FRANK O'GRADY'S ROOM
- EARLIER THAT MORNING

DOLORES KENYON

He bought a ticket at the train station for New York...

INT. MARTINEZ TRAIN STATION - TWO DAYS BEFORE, DAY

Dolores waiting as a MAN, his back to us...is buying a train ticket to New York...

EXT. NEW YORK CITY STREET - DAY

Andy running...and running...to Penn Station...

EXT. TRAIN STATION, PLATFORM, MARTINEZ CALIFORNIA - TWO DAYS EARLIER, DAY

A Train leaving the Martinez station...Dolores watching it pull off....turning and leaving...the train heading down the line...

EXT. NEW YORK STREETS - AFTERNOON

Andy, running across a street...The facade of PENN STATION just ahead of him... he takes a quick look at his watch, 3:32...running for the station...

GOUREVITCH (V.O.)

French had contacted Amtrak and learned that the California Zephyr, out of San Francisco, made such a connection, through Chicago....

EXT. THE CHICAGO TRAIN STATION - ANOTHER DAY

And we see a train coming into the station in Chicago...people getting off...getting on another train...

GOUREVITCH (V.O.)
...with the Lake Shore Limited into
Penn. Station.

INT. PENN STATION, NEW YORK CITY - AFTERNOON

Andy running into Penn Station...

GOUREVITCH (V.O.)
The time difference between the coasts
was such that French in California had
put all the pieces together less than
an hour before the train's scheduled
arrival in New York....

INT. PETE FRENCH'S F.B.I. OFFICE, CALIFORNIA - DAY

We see Pete in his California office, a phone to each
ear...talking to the FBI in New York and Amtrak
simultaneously...

INT. PENN STATION, NEW YORK CITY - DAY

We see Andy running down the escalator...to the busy waiting
room...where we see a huge clock...and the
time...is...3:38....He looks over at the train board...The
train, "AMTRACK 48, 3:41, ON TIME." He crosses to the
tracks...the various track tunnels...he stops...the tunnels
on all sides of him...He looks at his watch...it clicks to,
exactly 3:41.

STATION MASTER'S (V.O.)
Announcing the arrival on track number
twelve Amtrak train 48, from San
Francisco through Chicago...

Andy looks around him....he seems alone....he can see down
the tunnel...the TRAIN slowly pulling into the
station...people at the various doors getting off...moving to
the terminal...through the various tunnels...

ANDY
Tommy PON (V.O.)
Andy...

And he sees Tommy has shown up...stationing himself down the
way...

ANDY
(shrugs)
He's got to come out somewhere....
(frustrated)
I don't even know what the son of a
bitch looks like...!

He sees....

JOE PENNISI
(is come in, down
the way)
I'll watch over here...Amtrak has
detectives with their eyes ou..

Andy nods...the three men at separate locations watching the people streaming off the train...coming through the tunnels, into the terminal, crowding the terminal going by them....up the escalators...

Andy looking at every face...every nuance...every detail...

Tommy Pon...looking at every face....

Joe Pennisi....looking at the people going by....

It seems a hopeless task...Andy, like a drop of water in a flood of people...moving around him...and something catches his eye...a subtlety...an older man moving by him...something about his walk...the way his head is bent...the suitcase....Andy turns...the man doesn't look back...Andy unsure...waits...and it's an odd moment...almost as if he didn't want to find him....and in the moment of his indecision he loses sight of the man in the crowd...he looks around....the man....gone...Andy's still. He stands in the large waiting room...under its rotunda...with its huge clock and track board...and Andy seems just a small insignificant figure...he turns to look at Joe Pennisi...Joe shrugs....He turns to look at Tommy Pon...but Tommy's been swallowed up in the crowd....

Andy, standing in the middle of the waiting room, despite the throngs of people, for all intents and purposes, alone...

And the waiting room thins out...people having gone...moved up the escalators out of the building, to walk, or take a taxi, or a bus, or a limousine, or a subway, and somewhere among them...the ghost of Frankie Koehler...and for that matter the ghosts of Andy's past....And then the terminal is all but empty...Andy standing virtually alone...He buries his hands in his pockets....He turns, and his head down in his familiar posture, as if he were embarrassed to look up, he walks across the large waiting room...his footsteps echoing on the tile floor...he goes down a tunnel to the tracks and onto the train...

INT. THE TRAIN, AT PENN STATION, NEW YORK CITY - DAY

He walks from one end of the train to the other, making a search he knows is futile...we follow him on this futile search one car after another...after another...hope springs eternal...even when hope is gone...and despite some stragglers and finding someone asleep in a bathroom...he knows he's lost him...finished, he gets back off of the train...

INT. PENN STATION, NEW YORK CITY - DAY

He moves below us, hands in his pockets, in his fedora, diminutive from our perspective across the terminal floor....He gets on an escalator...making his way back up to the street...he starts to move out of the building....to leave...When an AMTRAK DETECTIVE comes running up to him.

AMTRAK DETECTIVE
Officer Rosenzweig.

Andy turns.

AMTRAK DETECTIVE
Would you follow me?

Andy turns, following the man back down an escalator across the terminal floor....they go to a door....the man opening it....leading Andy down some stairs and into THE PENN STATION SECURITY AND JAIL FACILITY.

INT. PENN STATION JAIL FACILITY, NEW YORK CITY - DAY

A small jail facility. He's lead to a detention cell. A closed metal door. A Guard at the door. Seeing them, the guard knocks. A moment and the door is opened. And we can see Tommy Pon is in the cell. Andy starts inside.

AMTRAK DETECTIVE
Your gun please.

ANDY
I'm sorry...

He remembers where he is and takes off his gun...he goes into the cell...

INT. JAIL CELL, AMTRAK SECURITY, PENN STATION - DAY

ANDY
(to Tommy Pon)
What's going on?

And it's then he sees an OLD MAN smoking a cigarette standing off to the side of the tiny room. We're immediately startled by his appearance. Our last memory of him was a distinctively handsome man in an expensive suit with dark, ink black hair, and despite his tough guy facade, there was a self-assurance, a cockiness, a sense of his immortality that was seductive. But what's before us now is the shell of a man. A man who looks like a transient, wearing a nondescript baseball cap, a half size too big for his head, with gray hair and sunken eyes, and a baggy gray sweatshirt over his thin arms....a man in his late sixties who has very little to show for his life....except his years...and the first instinct once the initial shock has worn away is to have pity on this pathetic man....but he may have lost his charismatic appearance...he hasn't lost his arrogance...his gangster persona....Jimmy Cagney if you will...in the body of Willie Loman. The years have turned him into a figment of own imagination. FRANKIE KOEHLER.

FRANKIE
You're Rosenzweig?

ANDY
I'm Andy Rosenzweig, chief
investigator for the Manhattan
District Attorney's Office. Have you
been advised of your rights?

TOMMY PON

I asked he wanted them read, he said
he knew them backwards and forwards.

Andy nods. Quietly looking at him after all these years.

GOUREVITCH (V.O.)

At the foot of one escalator Tommy Pon
had spotted the old man carrying a
suitcase in one hand in his other hand
holding a handkerchief over his mouth
and chin, as if he was about to cough
into it....much like the night of the
murder...

AND WE SEE JUST THAT, TOMMY PON NOTICING THE OLD MAN
HOLDING THE HANDKERCHIEF TO HIS FACE GOING BY HIM. TOMMY
FOLLOWING HIM UP THE ESCALATOR....

GOUREVITCH (V.O.)

Pon got behind him to study him more
closely. He noticed his left ear was
cauliflowered as Koehler's appeared to
be in his old parole photograph, and
he also noticed that while everyone
else on the escalator faced forward,
his man kept looking this way and
that. At the top of the escalator
their eyes met and locked momentarily.
Tommy was struck by the look of
disgust that confronted him...And he
signaled to an Amtrak detective
standing nearby. As they approached
him...Koehler said...

FRANKIE

"You got me." "It's over."

Andy, in the small cell...

ANDY

You mind if you roll up your sleeve
and show me your right arm.

Frankie rolls up his sleeve for him. And if there was any
doubt before there's the faded tattoos, the skull and
crossbones and the heart.

FRANKIE

You don't mind, I'd like us to talk
alone.

ANDY

That's not a problem. Excuse us
Tommy.

Tommy leaves the room. The cell door closes. The two of
them in the small cell, really just big enough for two men.

ANDY

I'd feel better, I want to advise you
of your rights...

FRANKIE
I know my rights, don't bother.

ANDY
I want to advise you. Everybody has
to be advised of his rights.

And without waiting for an answer that's just what he does.
Frankie paying him little mind...

ANDY
(officially)
You're under arrest for the murder of
Peter McGinn and Richard Glennon,
February 18, 1970.

And the date resonates with both men. The years gone by.
It's quiet. The men look at each other.

ANDY
You have anything you want to say?

FRANKIE
What can I tell ya? If you got
witnesses, I'm fucked.

ANDY
(quietly)
We got witnesses.

FRANKIE
Well, then I'm fucked.

INT. TOMMY PON'S CAR - DAY, 1997

Tommy driving. Andy in the passenger seat. Frankie, hands
cuffed, in the back seat.

ANDY
They found a .380 semi-automatic
handgun loaded with hollow point
bullets in your suitcase. What did
you plan to do with it?

FRANKIE
I saw you guys, every one of you, on
the platform. I walked right by you
Rosenzweig.

Andy's quiet.

FRANKIE
I thought of taking a few of you out,
and then doing this.

He makes a pistol of his forefinger and thumb and puts it to
his forehead.

FRANKIE

But I figured, Aw, what's the point now? I'm old. You guys probably have families. So maybe I got a little religion. I met some nice people on the train.

INT. THE MANHATTAN DA'S OFFICE - LATER IN THE DAY

We see Frankie, like so many years ago, when he was just a boy, being fingerprinted.

INT. AN INTERROGATION ROOM, THE MANHATTAN DA'S OFFICE - STILL LATER IN THE DAY

And we see Frankie sitting across from Andy at a metal table in an interrogation room..

ANDY

Let me ask you something. You're sixty-eight years old. Where were you going to go?

FRANKIE

I still know some people in New York....I call in a favor or two....get a few thousand dollars...a new identity, and a new hairstyle. (after a beat) I was going to call Jimmy Breslin, you know the Newsday columnist, and tell him that Frankie Koehler was going to kill a cop a day unless, or until, the FBI promised to stay away from my family. And I would've done it. It'd be easy.

Andy's still.

ANDY

We got you now, Frank. So why don't you give it up? Why don't you try to help yourself a little bit.

FRANKIE

I don't want any help....all I want is the Feds to lay off my wife and family. That's all I want from you guys.

ANDY

I'll make you a promise that'll happen. I'll tell them to lay off. But you got to cooperate.

They look at each other. And Frankie slaps the table.

FRANKIE

What do you want to know?

ANDY

I'm gonna have one of our assistant District Attorney's come in. Steve Saracco. I'd like you tell him about the homicides.

FRANKIE

(looks at him)

We have a deal. The Feds stay away from my wife.

ANDY

We have a deal.

And despite what Andy might feel about him, they shake hands on it.

INT. MANHATTAN DA'S OFFICE, INTERROGATION SUITE - NIGHT

We see Andy sitting outside an interrogation room with Tommy Pon, looking through one-way glass as Frankie talks to prosecutor STEVE SARACCO...A VIDEOTAPE CAMERA RECORDING HIS CONFESSION....

INT. MANHATTAN DA'S OFFICE, INTERROGATION ROOM - NIGHT

Koehler sits alone at the metal table. He appears hunched and restless. As Gourevitch describes it....his head tilts down, and his blue eyes, underslung by heavy bags, stare out. His hands drum the table.

STEVE SARACCO

(repeating the
promise)

There is going to be nothing done against your wife.

Koehler nods. He takes off his glasses. Holds his hands outspread as if to say..."Come on in."

FRANKIE

I'm gonna tell you everything ~~what~~ I can remember with the booze. (~~and~~ starting his confession) I went to the bar --

STEVE SARACCO

What bar was that? I don't mean to interrupt you.

FRANKIE

I'm trying to remember the name of the joint.

LAP DISSOLVE TO

STEVE SARACCO

How old are you at this time?

FRANKIE

What am I gone twenty-seven years?
Forty-one. He sucker punched me going
around...

STEVE SARACCO

Pete McGinn?

FRANKIE

That's right. When I turned he caught
me in the nose. I wasn't in too good
shape after that. He threw a punch
and I grabbed his hand and I tried to
bite his fucking finger off.

LAP DISSOLVE

FRANKIE

I went somewhere. I ain't gonna tell
you where because I'm not involving
any other people. I picked up a
pistol. It was a P38.

STEVE SARACCO

So you left the bar to get a gun?

FRANKIE

I left the bar to get a gun.
Premeditated murder. Yeah. You don't
worry about it I'll give you every
fucking thing you want.

STEVE SARACCO

I'm not trying to put any words in
your mouth. Please.

FRANKIE

Yeah. I know what I'm talking. You
know. You know. I went and I got the
pistol. Loaded it up. Came back to
the bar and said, "Hey jees, I want to
talk." "Let's talk this over."
"We're all friends." Again, McGinn --
not McGinn -- Glennon with his fucking
mouth -- "Rrrrr, rrr. You hurt
anybody I'll testify against ya." On
and on he's going - his big mouth.

LAP DISSOLVE:

FRANKIE

I went up to McGinn's place with
him -- and we were talking a little
bit. I still hadn't made up my mind
on anybody. I guess I got the gun
with that intention, but I hadn't
really made up my mind. (shows him)
Glennon was standing here. I was
sitting here. McGinn. McGinn was
sitting here. There was a table
there.

(MORE)

FRANKIE (cont'd)

I said to Glennon, "Look - This is not your beef." "Why don't you shut the fuck up and mind your business." McGinn said to him -- why don't you -- ya know -- and he said something about his day in the sun. I don't know what the fuck he meant by it. And that done something in my head. I cocked the gun --

He makes the motion as if cocking a gun...

AND WE SEE HIM IN THE APARTMENT TWENTY-SEVEN YEARS BEFORE...A MUCH YOUNGER MAN COCKING HIS GUN...

FRANKIE

Got up...

He stands up NOW....AS HE STANDS UP TWENTY-SEVEN YEARS EARLIER...

FRANKIE

(making as if he's shooting)

And hit him in the gut...

WE SEE HIM SHOOT RICHIE IN THE STOMACH.

FRANKIE

(showing)

He went this way...sideways.

RICHIE GLENNON, SHOT IN THE STOMACH, GOES SIDEWAYS...

FRANKIE

And I said to him. "Does that hurt?"

WE SEE HIM TWENTY SEVEN YEARS BEFORE ASKING HIM, "Does that hurt?"

FRANKIE

He didn't answer me. I hit him twice more in the chest. He went down.

AND WE SEE THAT.

FRANKIE

How the uncle got shot I don't know. I don't know. When I clipped him he went down.

STEVE SARACCO

By clipped him, you mean shot him?

FRANKIE

Shot him. I turned - McGinn had stood up. McGinn might have lived if he would been more -- well - he was a little fucked up anyway.

STEVE SARACCO
What do you mean by that?

FRANKIE
Well, he he you know was nervous, he was scared.

AND WE SEE PETE MCGINN SCARED....

FRANKIE
But if he would have said, maybe said so, he would have been o.k. I really was mad at Glennon. Even though I had a fight with McGinn. You gotta understand I was more mad at Glennon. He was a scumbag. He was a piece of shit. The guy had done many things over the time. I didn't like this guy. He was an annoyance. You know? I'm trying to explain as best I can. (beat) McGinn got up from the couch and said, "What'd you do?" "What'd you do?" But he was going for me. Now the anger, I was -- I guess I got a little angry again.

STEVE SARACCO
Glennon's already down?

FRANKIE
Yeah, he's finished. He was finished.

STEVE SARACCO
How many times do you think you had shot him at that point?

FRANKIE
I don't like the guy. A few more in for good keeping going on the way out.

STEVE SARACCO
Before McGinn gets up?

FRANKIE
No. No. No. I got him later. Yeah. On the way out the door, I think I dropped two on the bum. Anyway, he goes like this.

STEVE SARACCO
Who's that now by "he?"

FRANKIE
McGinn. Comin' for me. And I say, "You ain't gonna make it." And I whacked him. (makes like) Shot him in the belly. He went down.

AND WE SEE JUST THAT.

FRANKIE

Now I'm pissed off. I got to tell you I was very angry. So I says, "You thought this was a fucking joke you scumbag?" And I hit him twice in the back.

He makes a motion as if shooting someone when they're down.

AND WE SEE HIM TWENTY-SEVEN YEARS EARLIER DO JUST THAT.

LAP DISSOLVE

STEVE SARACCO

You saw the woman -- You saw the woman come in -- right?

FRANKIE

Yeah.

STEVE SARACCO

She knew who you were, right?

FRANKIE

Yeah. What am I gonna do? Whack her?

STEVE SARACCO

That's what I'm asking you.

FRANKIE

No. I'm not gonna do that. Not gonna whack someone I'm not fuckin' mad at. What the fuck would I do that for?

INT. THE MANHATTAN DA'S OFFICES, INTERROGATION ROOM - NIGHT

Andy, in his familiar posture quietly sitting, with his hands on the brim of his hat in his lap....outside the room...looking through the one way glass...

INT. THE INTERROGATION ROOM - NIGHT

STEVE SARACCO

What happened after that? When did you decide to go to California and leave New York?

FRANKIE

(hesitates)

I'll tell you what I can tell you. I left, I went somewhere else. AAlright.

STEVE SARACCO

Right-Right after this? Or...?

FRANKIE

Immediately. I went to Boston. Immediately. Gone. Boston. I had some friends in Boston. They sent me up to Washington. The State of Washington. I was in the State of Washington for a year. Then I went to California. Everything was settled for me.

STEVE SARACCO

This must have been on your mind for years though. I just --

FRANKIE

Yeah, I'm a professional criminal.

STEVE SARACCO

This must have been on your mind. You killed two guys --

FRANKIE

No. That wasn't on my mind. But, something coming up. Having things -- and set to do things -- when something comes up. You're supposed to have things in order.

STEVE SARACCO

Were you ever aware that people were looking for you?

FRANKIE

I've been aware -- I -- I knew almost every move you people made. The last move I heard you made was that you were looking at the mail. That lead me to believe that you were near my family. Which is routine police work. I was not near my family for ten years. I went -- got in touch with my family over something that happened. Which was a very fucking bad mistake for me. Then, I let my sister's kids get near to me. One of them got pinched. Obviously, you guys put the correlation together. And I'm in jail here. I knew you were at the train station. I was gonna switch over in Chicago or some god damned place. Thinking you were there, but then I figure where do I go? What do I do? So either I whack myself in the head? Kill a few of you guys -- that have families. All my legitimate sources are dried up now. I had legitimate sources, that you guys didn't know about in the beginning. Do you guys understand what I'm saying? They're gone.

(MORE)

FRANKIE (cont'd)

So what do I do now? I come back to New York -- I see some friends maybe. I get some cash. I get a change of ID. Where do I go from there. I go stick up joints? What if someone gives me trouble? I kill 'em? You know -- It's a bad situation. I'm on the run. I can't be -- I -- You know it's fucked up. You can't rob a joint and get a beef -- a pinch -- so you gotta hurt people. I don't want to hurt anybody else -- I'm tired of it. And I'm not mad at anybody. So whatever...

LAP DISSOLVE TO

FRANKIE

I don't want my wife harrassed by the federal government.

STEVE SARACCO

Alright.

FRANKIE

That's all.

STEVE SARACCO

That's all.

FRANKIE

That's it! Case closed. She's a good woman. She don't deserve the pain. She worked all her fuckin life and never done a thing wrong to anybody.

STEVE SARACCO

It's very fortunate things went down as easily as they did today.

FRANKIE

My choice.

STEVE SARACCO

Alright.

FRANKIE

K? And, I'm not askin' for any medals for it.

STEVE SARACCO

Nobody is offering any.

(after a beat)

Alright -- Thank you Mr. Koehler -- this interview is concluded.

FRANKIE

It's nice to hear my name again. I forgot who the fuck I was for twenty-seven years. I'll probably see you in court, huh?

STEVE SARACCO
Yeah, you probably will.

FRANKIE
(the last word)
I'll probably get a legal aide lawyer
that will tell me I shouldn't have
made a statement.

And he looks as pathetic as he feels.

INT. ANDY'S OFFICE, MANHATTAN DA'S OFFICE - NIGHT

We see Tommy Pon, Chris Donahue, Joe Pennisi, Frankie DiMarco, Steve Saracco and Mary...holding glasses of champagne. Andy, with a water glass. They clink glasses....toasting their success. They look to Andy to say something. But Andy as always, without any fanfare...

ANDY
(simply, meaning
them)
Somebody has to speak for the dead.

INT. ANDY'S BEDROOM - THAT NIGHT

Andy's already in bed. Mary comes out of the bathroom, turning out the light, climbing into bed with him. They're quiet.

MARY
You should feel very good about
yourself.

ANDY
You know I thought I was going to
really savor this one...but all I saw
was this pathetic old man....it's like
I was going after some idea I had...a
young tough guy...and look what you
get...

They're quiet.

ANDY
(and he says the
most truthful and
maybe the most
painful)
You know Mary, for some reason it just
isn't satisfying.

MARY
You'll never be satisfied, honey.

She lays with her head on his shoulder.

MARY
It's something I love about you. You
want everything to be just right

INT. ANDY'S OFFICE, THE MANHATTAN DA'S OFFICE - DAY

And we see Frankie's confession video is playing on a large screen television....Some of Andy's investigators standing and sitting around the room watching the confession video.

ANDY

(ironic)

And they say people mellow with age.
He arrived the way he left, armed,
bloody minded, and without a jot of
remorse.

FRANKIE DIMARCO

They'll put him away for what he
deserves, it's a slam dunk.

Andy doesn't say anything. Joe Pennisi comes in, says
something to Andy. Andy is still.

ANDY

Murray Richman's taken his case.

FRANKIE DIMARCO

Murray Richman? Why would he take on
a low life like this guy. His motto
is "Reasonable doubt begins with the
payment of a reasonable fee."

ANDY

I came up as a cop the same time he
did a lawyer. Same neighborhood. His
father was a housepainter....an
immigrant....Murray was always a
pirate, a backslapper, fast-talking,
scrappy and brash...

FRANKIE DIMARCO

(wry)

You two must've got along just fine.

ANDY

(honestly)

He was everything I didn't want to be.
He loved his association with outlaws.
"Don't worry Murray" they called him,
as he made his rounds of their
nightclubs, their restaurants, their
weddings, their wakes, dealing out
business cards, saying, "Talk To Me.
Listen To Me. Don't worry, I'll take
care of it."

But despite his attitude, he looks at the screen with
Koehler's image....

ANDY

(saying)

Nothing's a slam dunk.

INT. THE MANHATTAN DA'S OFFICES, THE COMMISSARY - DAY

We see Andy sitting at a table by himself reading a Swedish detective paperback having lunch. When a man sits down across from him.

A MAN'S VOICE (OVER)
Let me pay for that.

Andy looks up to see the lawyer, MURRAY RICHMAN, a neatly dressed man in his early fifties, sure of himself...just as we thought he would be, sitting across from him.

ANDY
I can pay for my own lunch.

They shake hands.

MURRAY RICHMAN
You remember I took care of the closing of your first house...1970...the one in West Nyack.

ANDY
Yeah, across the street from the Mafia. The husband and the wife were both under indictment. And guess who was representing them.

MURRAY RICHMAN
(laughs)
The trash always got picked up on time, didn't it? (goes on) You got married again?

ANDY
(nods)
Three years now.

Murray shows him some photographs of his own family.

MURRAY RICHMAN
We've done okay for a couple of Jews from the Bronx.

Andy doesn't say anything.

ANDY
(after a beat)
How did you end up with Frank Koehler's case?

MURRAY RICHMAN
Koehler was put in touch with me by a dear friend and a client -- a mob guy...a very very tough guy...a guy I really love -- who had been convicted of murder when he was sixteen and spent twenty-two years in jail where he and Koehler met and forged an enduring bond.

(MORE)

MURRAY RICHMAN (cont'd)
I've kept my friend out of jail since,
and he was a gentlemen to me and
helped build my business...He asked a
favor...

ANDY
Koehler kept his hand in "the life"
during his stay in California?

MURRAY RICHMAN
He had something going. There's no
question. Did he not commit crimes?
I can't say that. Did he not get
caught? That's staying out of
trouble, you know. By the very fact
he was able to reach my friend I know
he had to be into other things,
because my friend is into a lot of
things.

Andy doesn't say anything.

MURRAY RICHMAN
Koehler, he's a fascination. A
loveable rogue. Frankie's black and
white. Everybody else is in various
shades of color. He's in black and
white like a movie. You could see him
in Naked City, but not in Law and
Order. He's like the bad guy in "High
Noon."

Andy slightly smiles.

ANDY
You don't miss a trick.

Murray goes into his pocket and gives Andy a VHS copy of the
movie.

MURRAY RICHMAN
(smiles)
I remember how much you loved this
movie.

Andy fingers the tape box.

MURRAY RICHMAN
You can't call him a sweet guy, but
he's a lot less dumber than I took him
for at first....He's one of the
smartest guys I've ever seen.

ANDY
(sarcastic)
Yeah, he's done a lot of smart things.

MURRAY RICHMAN

(laughs)

Killing Glennon and McGinn was the dumbest thing -- dumb -- just sheer stupidity. But he was drunk at the time. That's not an excuse for the murders, but it may reduce the murder charge. Might and might not.

ANDY

You saw his confession?

MURRAY RICHMAN

Frankie said he made it under duress after you had threatened to drag his wife into the case. (before Andy can say anything) Too bad for him. He shouldn't have opened his big mouth. What was improper about his statement? Was a gun put to his head? He volunteered the whole thing. Nobody threatened him. I can't get that suppressed. Nope, with his confession I don't think we have a shot. The secret in this phase of a trial is you go for anything. You don't give a shit. You don't care and you convey the fact that you don't care. After all, I love court. It's a playground for me. It's an opportunity to show off. And I'm a show-off you know.

ANDY

(a beat, pure
Andy)

Really?

Murray smiles.

MURRAY RICHMAN

I just wanted to congratulate you. Thirty years later...You're some good cop, Andy. Anybody I know gets killed...I want you on my side.

As they look at each other...from the same neighborhood.

INT. ANDY'S OFFICE, MAHATTAN DISTRICT ATTORNEY'S
OFFICE - ANOTHER DAY

We see Andy on the phone...case files stacked on his desk...

GOUREVITCH (V.O.)

Like anything else in the justice system, a case is about waiting. Waiting. Andy went back to his cases. The neverending cases. Everyday he'd ask the lawyers at the office, what's happening with Koehler. And he'd get "anytime now."

ANDY
(hangs up phone)
Anytime now.

TOMMY PON
Thirty years, what's your hurry?
They're just dead a little longer.
He's gonna get his.

ANDY
(a concern)
Justice, it can mellow with age.

INT. RIKER'S ISLAND PRISON, NEW YORK - DAY, 1997

Murray Richmond and Frankie Koehler sit at a metal table in a small lawyer-client room. A Guard sitting nearby.

MURRAY RICHMAN
I keep telling them five to ten. five to ten. "It's a little more than what he'd get for the gun, and he ain't doing his hundred for the murder." "Five to ten." "Five to ten." They're sitting on twelve and a half to twenty-five...I said, are you jokin', he's already almost seventy...

FRANKIE
I'm not this bad guy they think I am. I never raped a woman. I never hurt a child. I don't deal drugs. I don't use drugs. I'm not a good guy, maybe to a lot of people, but to some I was.

He fingers some books.

FRANKIE
I've been doing a lot of reading.

MURRAY RICHMAN
What are you reading?

FRANKIE
The Bible and "Thus Spake Zarathustra." I had dropped out of school I never read a book until I was seventeen when I was in the solitary "box" at the Elmira Reformatory and a guard tossed me a copy of "Oliver Twist."

AND WE SEE JUST THAT...A BOOK BEING THROWN INTO THE "SOLITARY BOX"...THE TEENAGER FRANKIE LOOKING AT "OLIVER TWIST."

FRANKIE

I keep going back in my mind to my childhood. It floods back with memories, good and bad. What's so funny that even the bad seem good now. The reason, I guess, is that there is a future in the past. If only in one's mind, and with age -- seventy coming up -- and being locked away I find very little future in my thoughts.

He's quiet....

FRANKIE

(remembering)

Growing up, the neighborhood was everything. We lived in cold water flats. No hot water in the bathroom, no tub, toilet in the hallway, a pull chain. Six flights up. Rats, roaches, you name it we had it. But we had fun, just the wrong kind. Most of the people who lived around there worked on the docks. The big shots were the mob guys who ran the piers. Most of them were Irish and everyone knew them. No one got out of line with them. That's who I wanted to be, and years later I would meet most of them, have a drink with them as an equal. My boyhood dream to be James Cagney in the movie "Angels With Dirty Faces," it would come true. I practiced walking around like him -- talking like him -- he was the thing I always wanted to be. You asked me to write down some stuff...I wrote a poem about it....

He takes out a folded piece of paper, unfolding it....putting on his glasses, clearing his throat, almost formally reading it...

FRANKIE

"He would sit for hours in the RKO watching Jimmy in all his glow, Being the gangster he longed for so. He could hardly wait till he would grow to drive the fast car and count the dough with beautiful women all in tow. He showed them all, they all would know, When he got his gun he'd shoot them low, Or scare them all, then let them go, These dirty rats, who beat him and hurt him so." (folds the paper back up, puts it away, after a beat) I grew up real resentful of people, you know what I mean?

INT. THE SMALL ITALIAN RESTAURANT, NEW YORK CITY - NIGHT

Andy and Mary out to eat at the small restaurant they enjoy. Mary having her glass of wine, Andy his water. He seems preoccupied.

MARY

Do you have any feeling about putting a nearly seventy year old man in jail? What good's it going to do? He lived with it for thirty years...

ANDY

I have no more feeling than he had for Richie and Pete...you don't kill someone and get years off for good behavior.

MARY

(knows him)

Something's eating you. You should be satisfied but you're not. What else do you want, Andy?

He doesn't know...

ANDY

I remember when I first was in the force they tell you, you make an arrest don't expect brass bands to show up...nobody gives a shit...You got a job to do, just do it...and do it well...

MARY

You do it well...as good as it can be done...So why does it leave you...(searching for the right words) feeling so empty?

He doesn't know.

ANDY

It just doesn't seem to have an end...

MARY

(realizes)

You're not going to retire, are you?

Andy's silence is his answer....

MARY

(angry)

What's it going to take? You want them to throw you out...tell you to shut the door so it doesn't hit you on your way out...(affectionately) You don't have anything left to prove Andy. You're at the top of your field. You have all the respect. You did what you set out to do. What else do you want?

Their food comes....interrupting their conversation....they start to eat...in quiet...

ANDY
(after some
moments)
There's something I want to find
out....

EXT. BENECIA, CALIFORNIA - DAY

We see a RENTAL CAR coming along the main street of the small town. The car park. And we see Andy, in his brown suit, his familiar hat, get out. He starts to walk along the main street. He stops to talk to a Barber standing in the doorway of a barber shop. Andy shows him his badge.

ANDY
(friendly)
I'm Andy Rosenzweig. Did you know
Frank O'Grady at all?

THE BARBER
Sure...this isn't a very big place..

ANDY
What kind of life did he live around
here?

THE BARBER
(looks at Andy's
hair)
You want to get a trim?

ANDY
(smiles)
There's not much to do, but sure, I'll
take a trim.

They go inside.

INT. THE BARBERSHOP, BENECIA, CALIFORNIA - DAY

Andy sits in a chair. The barber puts the drape around him. As he starts cutting Andy's hair...

THE BARBER
My father had us get our hair cut once
every other week whether we needed it
or not...He said it would make us feel
good about ourselves. It always
did. (and as he cuts) Frank seemed
like a regular guy. He'd come in and
shoot the shit. Nothing special about
him. Very personable. Everybody
seemed to like him. He was like the
unofficial mayor of downtown Benecia.
It's hard to believe he was a
criminal. They've been selling these.

He shows him some tee-shirts for sale...emblazoned with the
image of the statue of liberty and "FREE NEW YORK FRANKIE."

THE BARBER

(goes back to
cutting)

I was brought up to believe people can
change. To believe in forgiveness.
How about you?

Andy doesn't answer him. And as the man cuts what little
there is of Andy's hair...

EXT. A SMALL HOUSE, BENECIA - DAY

Andy stands on the porch of a well kempt small house. And we
see a WOMAN in her sixties coming outside, putting a sweater
on. And we recognize it's Frankie's wife.

FRANKIE'S WIFE

I'd rather we talked out here. It
makes me uncomfortable when police
come into the house.

Andy nods, he understands completely.

FRANKIE'S WIFE

I just want left alone from all this
crap, I wish I could run away to
another planet. (after a beat) What
good could this do to him? Going to
jail. (a beat) I met him when I was
seventeen. He was so skinny....a
pathetic kid...I was in love with a
young boy...and that's how I always
think of him...just this young skinny
kid....What the hell did he know about
anything? What did he know about the
world? He didn't know much so he put
a big act on. A lot of it was just
fear. When he lived out here he saw a
different life. He'd never been
fishing before. He'd never gone
camping. (after a beat) He's got a
big ego. They all do. Men all do.

Andy nods, he can relate to that.

FRANKIE'S WIFE

You gotta understand. This is the man
I've been with for forty-nine years.
Do you expect me to hate him? They
could drag me back and make me testify
against Frankie...I'm a practicing
catholic...I don't believe in divorce.
I made the vows on the altar, and it's
not been easy....but you know you make
a vow...you should keep it...

And as they stand on the porch talking, a breeze blowing in
Benecia...

INT. "LEONARD'S TOT SHOP," BENECIA, CALIFORNIA - DAY

And we see Andy standing with Koehler's ex-girlfriend Dolores, Dolores behind the cash-register at a children's shop...with the motto..."Quality Products For The Personal Care of Your Children Since 1949."

DOLORES KENYON

(is telling him)

....I have three children...the youngest, a daughter, Frank helped to raise...you know, although he hadn't been able to have children with his wife, he had been a wonderful loving father figure. When we met I was a devout Jehovah's Witness.....a minister, in fact...So if you want to go with the bad guy and the good girl, there it is. But I was disfellowshipped when I told them I was living in sin with him. There were two sides in him. His kindness was more overt than his temper. He's a man of many passions. He loved to read biography's and history who talked about Hitler and Napoleon and all the things they did wrong and could have corrected...(thinking) He loved the old movies. The black and whites. James Cagney. He'd watch a lot of them. They didn't add up to me. You're either good or bad. Nothing in between. It's like religion. I think there's a lot of good, and some bad in just about everybody. Don't you?

Andy doesn't say anything.

DOLORES KENYON

(thinking) He was a fanatic about cleanliness...he used to tell this story how he once shined his shoes so much he shined a hole in them. He was always saying that only stupid people got caught. So actually he's stupid then. But I think whatever you want to say, I picked a winner. Because I really believe Frankie's a winner. I don't see why they're gonna have him rot in a jail. What good's that gonna do?

AND WE SEE JAMES CAGNEY, AND PAT O'BRIEN, IN MICHAEL CURTIZ 1938, "ANGELS WITH DIRTY FACES," FILL THE SCREEN.

INT. A MOTEL IN BENECIA, CALIFORNIA - NIGHT

We see a familiar yellow "Blockbuster Video" bag....and we see Andy laying on the bed of a motel room, watching the video of "Angels With Dirty Faces," on the television...the story of two kids from the same neighborhood who take different paths in their lives....and as he silently lays on the bed in the motel watching the movie...

INT. RIKER'S ISLAND PRISON - ANOTHER DAY

We see Andy coming down a corridor. He told to wait by a guard at a door. The door's unlocked and he's shown into a small room.

INT. ROOM - RIKER'S ISLAND PRISON - DAY

Murray Richman is already there.

MURRAY RICHMAN

(without
pleasantries)

They're not budging. They're standing with the 12 and a half to twenty five. You know old he'll be when he does the time...?

ANDY

(pure Andy)

I didn't make the rules.

MURRAY RICHMAN

You can recommend. Your opinion carries a lot of weight. Five to ten is what it should be. Five to ten. The guy's been a model citizen for thirty years. You think me or you can say that.

ANDY

(serious)

I didn't kill anybody.

MURRAY RICHMAN

(laughs)

Neither did I, not with a gun anyway.

And an inner door opens, a Guard brings Frankie inside.

FRANKIE

(a beat)

What's so important?

MURRAY RICHMAN

Mr. Rosenzweig wanted to close up some loose ends...I told him I'm sure, being a reasonable man, you wouldn't mind.

FRANKIE

(a swagger)

I've got nothing to hide.

They sit at the metal table.

ANDY

(starts right in)
I was wondering, why didn't you get off the train before it reached New York?

FRANKIE

I wanted to believe.

ANDY

Believe?

FRANKIE

Dolores. I had the feeling the bitch was gonna give me up. But I wanted to believe in her. Stupid. (and feeling good talking) For the first two days on the train I wore the gun in the waist of my pants...I was thinking....If something comes up, we'll hold court right here. Then I found myself in the observation car watching the other passengers watching the landscape, and as I imagined them dying in a shoot-out I said to myself, "jeez," what a legacy to leave, you fucking scumbag. So I put the gun in the suitcase.

Andy nods.

ANDY

How did you change your life like that?

And we almost feel as if he's talking asking about himself.

ANDY

Gave up everything you know.

FRANKIE

At first I thought I'm out of my fucking mind. This small town living...especially in the mornings, when I missed sitting in a club, a drink in front of me, talking to guys like me, or worse, about other guys just like us, trying to get their piece of the pie, the cops you could buy and the bums you couldn't, the mob guys who were okay and the ones that were not, the big score that was waiting. Action. Action all the time. But with time I came to see the place as a kind of deliverance. You know? Enjoying kids laughing, seeing families who love each other, the good life. I wasn't going to be found there. I didn't have to run.

(MORE)

FRANKIE (cont'd)
I thought if I had grown up in a place
like that I would have made it, as an
honest, Godfearing, working stiff.

ANDY
(irritated)
That's all real nice. But these two
guys you killed weren't endangering
you.

FRANKIE
That's true.

ANDY
Nor was the other boy that you killed.

FRANKIE
I was just a punk kid then....(a beat)
You want Justice? Justice for
injustice. Is there justice for
taking a life? What would be just?
Me sitting in jail. It's a legalized
revenge killing...that's all....I got
high blood pressure...had a heart
attack about five years ago...I'm
still smoking...arthritis, the whole
bit...I do a stretch it'll take my
life. So there you go. That fits the
crime, don't it? And what have they
got? They got a fucking body. That's
what they got. (upset, staring at
Andy) And what do you got,
Rosenzweig?!

MURRAY RICHMAN
(the lawyer in
him, jumps in)
Maybe we should call it quits here...

ANDY
(nods, gets up, to
Frankie)
Thanks for talking to me...

Frankie nods.

FRANKIE
(a wise guy)
Anytime.

Andy starts to leave...He's almost to the door..., putting his
hat on...

ANDY
I heard you like old movies. Black
and whites. Jimmy Cagney.

Frankie nods....

ANDY

"Angels With Dirty Faces." I watched it the other night. I hadn't seen it for a long time...It holds up pretty good....

FRANKIE

(nods)

There's a lot of good messages in there....

ANDY

Jimmy Cagney, he was just like guys I knew from the street. Pat O'Brien...he invented how we think of the priest. It made a lot of sense to me. Simple stuff. Good and evil. Nothing like today.

FRANKIE

Yeah. Nothing like today. Back then, there were your bad guys and your good guys, you didn't have to guess where anybody stands.

Andy nods.

ANDY

Except in the end of the movie, the bad guy, he does the right thing...

FRANKIE

(nods)

The Priest got to him. It goes to show not everybody is as bad as you think they are.

ANDY

(looks at him, his
ethos)

But nobody should get away with murder.

And as Andy, putting on his hat, leaves the prison room.

INT. A COURTROOM OF THE SUPREME COURT OF THE STATE OF NEW YORK, MANHATTAN - DAY

We see a WOMAN in her mid thirties, we faintly recognize, standing before the bench of the Supreme Court, before the presiding Judge Michael Obus...We see Murray Richmond sitting with Frank Koehler, Frankie with a scruffy white beard now, in prison clothes, at the defendant's table. The two attorneys from the District Attorney's office at the prosecution table. And we see among the people sitting in the gallery, Andy, in his familiar posture, back straight his hat in his lap...his deputy Joe Pennisi beside him along with Tommy Pon and Chris Donahue. We see Mary, coming in late, finding the nearest seat in the back...And the young blonde woman says:

KAREN

My name is Karen McGinn-Hagen. I am the youngest of Peter McGinn's four children. My father was only thirty-eight years old when he was stolen from us. Our young mother was forced, without her partner to help, to raise us. We missed him and miss him very much. Over the years we have worn out the pictures and the stories and the storytellers who have described our handsome and loving father, spending days and summers on the beach at Fire Island with his children. We remember him teaching us to ski and to ride horses. We remember afternoon baseball games and dinners at home when he tried his best to keep all four of us at the kitchen table. We miss him because of everything he was and everything he was meant to be. Today Peter McGinn would have been a grandfather to six beautiful grandchildren. He has missed it all. He has missed the first days of school, last days of school, two-wheel bicycles, drivers licenses, weddings, walking his daughters down the aisle. He has missed soccer games, college scholarships, and graduations. He has missed a lifetime of Christmases and Halloweens and Father's Days. He missed middle age. He missed retirement. He missed a chance to live his life. He missed a chance to grow old.

And at those words we look at Andy....taking her speech in...And Karen looks at him...and as much for him as them...

KAREN

We stand here today, the grown children who waited our whole lives to see our father's murderer punished. Frank Koehler deserves to be punished for every hug, for every morning, for every time the sun shown on his face, for every time he celebrated, for every time he laughed, for every time he cried, for every minute, every day, every year that he lived and my father did not.

She's motionless for a moment. And then her hands buried in her skirt pockets, holding back her tears she goes and sits down with her family. It's dead still.

THE JUDGE

(says to Frankie)

Mr. Koehler do you have anything to say for yourself?

Frankie rises.

FRANKIE

My apologies are not enough to say to the families. I will probably die in prison. I will -- probably, eventually. As a human being, I am sorry for what happened that night, not because I am standing here. That is all I can say.

He hesitates a moment, and then he sits down.

THE JUDGE

In view of the defendant's advanced age, and the difficulties that such an old case would present if it were to go to trial, the prosecution and the defense have reached an agreement in the matter of "The People v. Frank Koehler." In accepting the deal, Mr. Koehler agreed to waive his right to appeal, making for "a final resolution of the case," albeit, with a sentence that obviously does not meet the seriousness of the underlying conduct of the defendant. (after a beat) For pleading guilty to two counts of manslaughter, four and a third to thirteen years in prison; and for pleading guilty to one count of criminal possession of a weapon, six and a half to thirteen years.

As he slams the gavel.

ANDY

(quietly to Tommy
Pon, shakes his
head)

He got more time for the possession of a weapon than he did for the murders.

The people gather up their things. Guards come to put handcuffs on Frankie, to take him back to prison. Murray Richmond can be heard saying to one of the Prosecutors....

MURRAY RICHMAN

I call it a win. Frankie may see the streets...I'm betting he does...

And the Guards start to take Frankie away...and he looks over at Andy, their eyes meet, and Frankie says to him....

FRANKIE

I wish we had gone to trial and tried to beat the case. You know why we didn't? Because Mr. Andy Rosen-swagger there, who's a real smart fuck, he went to the priest.

They look at each other.

FRANKIE

The good side of myself. When he made me think about how painful a trial might be for those close to him, the hoodlum and the priest struggled inside of me. The hoodlum would've never went for it. The hoodlum would've said, I don't give a fuck about the family or anybody else. But the priest in me, he said, "That's bad shit, Frank, don't do that." Very strange. There's a combination going on there. That priest is a dangerous guy. Or he's the best guy I got. One or the other.

They look at each other for a last time and Frank is taken away. As Andy puts on his hat, going up the aisle, Mary waits by the door, and as she opens it, and they walk out...

INT. ANDY'S OFFICE, MANHATTAN DA'S OFFICE - NIGHT

A small party. People talking. Drinking. People congratulating Andy.

ANDY

(quietly)

I'd like to say something.

They quiet.

ANDY

This is because of good cops. Tommy Pon. Chris Donahue. An F.B.I. guy, Pete French...all of us working together.

There's applause for them.

ANDY

(simply)

I want you to know...when a cop told me a long time ago, when I was scared, and I screwed up, he told me, "Don't ever do that, find another career." "People count on you." I never forgot it. I did what I could. After thirty years I think that's enough. I'm gonna call it a day. I'm gonna retire and move with Mary down to Providence.

And that's it...that's all he has to say about it...

INT. ANDY'S OFFICE - NIGHT, LATE

The people have gone. Andy finishes up some paperwork. Mary looks in...

MARY

You ready?

ANDY

There's something I got to do. I'll see you at home.

She nods, understanding. She leaves. It's quiet. Andy sits at his desk for some long moments. He gets up, and taking his hat, he leaves.

INT. "CHAMBERS" BAR, THE SOUTH BRONX - LATE AT NIGHT

The familiar bar crowded with police coming off duty, street people...the din of too much liquor, too much conversation. And we see the door open, Andy coming inside. He finds a seat at the bar. It all looks familiar, just thirty years later. Nobody knows him anymore. The same people that have always been there, the same cops with the same problems, just the faces have changed. The Bartender comes to see what he wants to drink.

ANDY

(hesitates)

Just a coke...

The bartender nods...starts to go...

ANDY

(a small smile)

Make it diet....

The Bartender goes. Andy sits among the noise...the place he knows so well. A young Policeman nursing a drink sitting beside him.

ANDY

Where you stationed?

THE YOUNG POLICEMAN

The four-One...

ANDY

I was there for awhile...

THE YOUNG POLICEMAN

(not much

interested)

That's good....

The Young Policeman gets in a conversation with a woman...much more important...Andy sits quietly taking it all in...and before his drink can arrive he's seen enough...he puts some money down...he takes up his hat...slides off the stool...and putting on his hat he starts for the door...he sees the reflection of the bar in the mirror...his empty stool...it's okay...he starts out the door...and for a moment, like "Our Town," THE YOUNG ANDY ROSENZWEIG APPEARS, IN HIS POLICE UNIFORM, COMING OFF HIS SHIFT, COMING INSIDE AS ANDY IS LEAVING...THIRTY YEARS AGO...HE GOES AND SITS IN THE EMPTY STOOL AT THE BAR ANDY HAD JUST LEFT...ANDY TAKES A LAST LOOK BACK, AS IF LOOKING BACK AT HIS LIFE...AS IF TO SAY, "HAVE A GOOD LIFE..." ABLE TO PUT IT BEHIND HIM NOW, AND GOES OUT THE DOOR....

EXT. THE BAR, THE SOUTH BRONX - LATE AT NIGHT

His familiar hat on, hands in his pockets, he comes along the quiet street...and as he moves along the street, walking off...

EXT. PROVIDENCE, RHODE ISLAND - EARLY MORNING

Andy, carrying a briefcase, wearing a hat and a plain brown suit, wearing them out of habit, something he hasn't been able to leave behind, comes along a Providence, Rhode Island street early in the morning. Nothing's changed in his walk. The slow stride, as if the street was emptier, longer than it is. His head slightly ducked, as if he's embarrassed by who he isn't, and wasn't meant to be. This is still no hero. He comes to a small BOOKSHOP, "Book 'Em" a shop that specializes in mysteries, crime books. There are some boxes left by the door. He takes them inside...

INT. THE PROVIDENCE BOOKSHOP - EARLY MORNING

He shuts the door behind him, leaving the sign on the door to say, "Closed." He likes this time of morning. He likes the being alone. He stops to open the boxes. Various books. Among them is a book on the movie "High Noon." It is something special to him. A book he's been waiting for. He settles into an overstuffed chair, looking through it, looking at the photographs from the movie of Gary Cooper and Grace Kelly...and as he peacefully sits in the chair, looking through the book about "High Noon..."

INT. THE BOOK STORE, PROVIDENCE - MORNING, LATER

Mary's there now behind the cash register. Andy, putting books on the shelves.

MARY

Did you mail them the mortgage payment?

A car drives by. He stops to look outside. He takes out his notebook. He writes down the license plate number.

ANDY

Sorry. I just had to get the license plate of a car I saw passing. There was a robbery they talked about on the news this morning...just twenty miles from here...(meaning the license number)...you never know...

And as he goes back to putting books on the shelf...never quite satisfied...

INT. THE WRITER'S OFFICE, NEW YORK - NIGHT

Gourevitch at his desk...and we see him typing...

"Andy is currently the Deputy Chief of the Providence Police Department." and: "Frank Koehler is still in prison doing his time."

He looks at it. He goes back and fixes a small spelling error. He looks at it again. Satisfied he takes out the sheet of paper. He puts it under a stack of papers...a manuscript. He gets up, crosses out of the office...and as he turns off the light...

FADE OUT: